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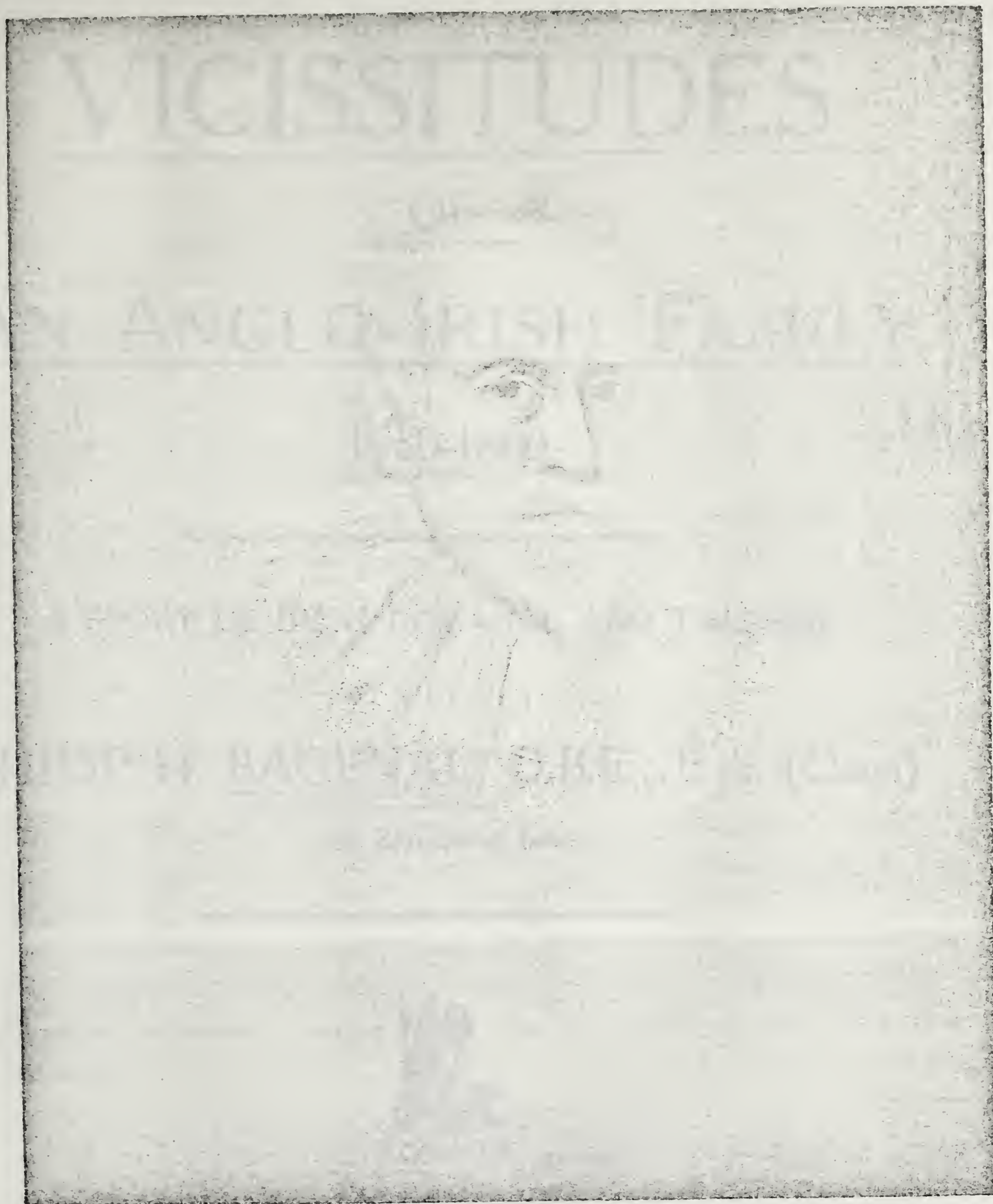
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VICISSITUDES
OF
AN ANGLO-IRISH FAMILY.



SIR NICHOLAS BAGENAL.



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VICISSITUDES
OF
AN ANGLO-IRISH FAMILY

1530-1800.

ltd

A STORY OF IRISH ROMANCE AND TRAGEDY

BY

PHILIP H. BAGENAL, O.B.E., B.A. (Oxon)

and Barrister-at-law.



LONDON

CLEMENT INGLEBY

AT THE SIGN OF THE BOAR'S HEAD,

GREAT JAMES STREET, W.C. 1

1925

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P R E F A C E .

While yet a schoolboy I was strangely attracted by some chapters in the *Kilkenny Archæological Journal* dealing with the Barony of Idrone, Co. Carlow. They had been written in 1860-61 by Mr. John Patrick Prendergast, barrister-at-law, afterwards the author of *The Cromwellian Settlement*. With him I first became personally acquainted in 1874 on my call to the Irish Bar, and for several years saw a great deal of him at his house, 127, Strand Road, Sandymount, where he lived with his brother Francis. Many were the walks and talks in search of historical monuments and memories of which he was well informed and full of anecdote and information. From him, indeed, I received the spur which urged me on to make some serious study of Irish history, and I owe more to him than I can ever repay or acknowledge for his kindness, hospitality and encouragement in my early literary and historical pursuits.

I therefore dedicate this unequal little treatise to the memory of my beloved old friend whose interest equalled mine in the Elizabethan adventurers, the Royal cavaliers and the Georgian gentlemen who bore my family name. Whatever their faults, their vices, and even crimes may have been, they struck surely and always the note of absolute loyalty to the Crown of England in all their doings. They willingly spent their lives, fortunes and estates in its service, and preferred before all other interests and respects whatsoever their obligations to their Sovereign. This may perhaps some day be accounted unto them for righteousness.

ACKNOWLEDGMENTS.

I have to acknowledge with grateful thanks the permission of the Earl of Kilmorey to reproduce the portrait of his ancestor, Sir Nicholas Bagenal Knight Marshal, which has been in the possession of his family from the 17th Century since its accession to the Mourne property in Co. Down.

To the Catholic Record Society I owe thanks for leave to reproduce the portrait of Sister Catherine Dominick Bagenal, who was 31 years Mother Abbess of the Gravelines Convent of poor Clares. She was a daughter of Colonel Dudley Bagenal, who died in exile at Bruges, after the Battle of the Boyne.

To Colonel Bagnold of Warren Wood, Shooters' Hill, I owe thanks for his kind information and leave to produce an old print of the village of Bagnall.

The chapter relating to Sir Nicholas Bagenal first appeared as an article in the Journal of the Proceedings of the Royal Society of Antiquaries of Ireland, March, 1915.

P. H. B.

11, Spencer Hill,
Wimbledon, S.W.

1925

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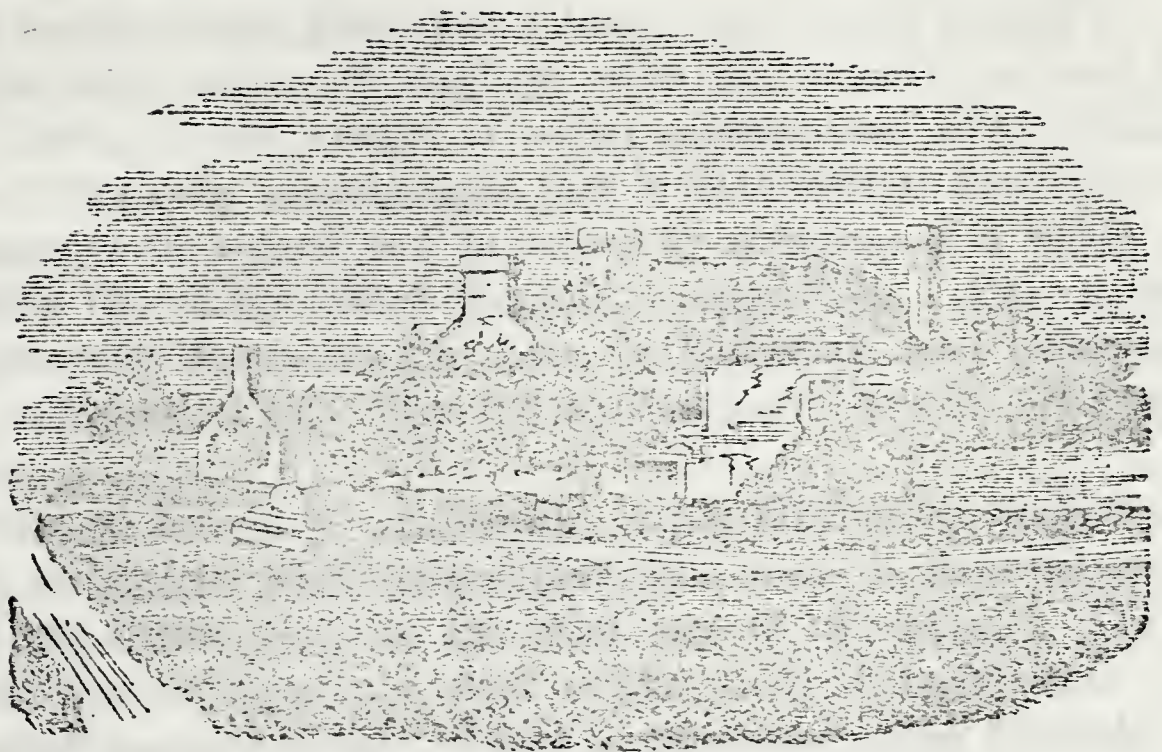
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BAGNALL HALL AND MARKET CROSS.

CHAPTER I.

INTRODUCTORY.

The family of Bagenal or Bagnall or Bagnold has been known in Staffordshire for centuries, and there is a village of the name now existing a few miles from Stoke-upon-Trent.

The Church of St. Chad was restored in 1880, and an ancient column in the churchyard seems to have been in existence long anterior to the Church itself. An old market cross also has been restored. Tradition says in Saxon days a cross was standing in the village green and a large market held around it. (1).

In the days of the early Kings of England when the majority of men were unable to read or write, it was a sign of social position and some education to be able to do so. The early records show that in Staffordshire from the reign of Stephen there were deeds signed and witnessed by members of a family who took their name from the village called Bagnall or Bagenholt. For example, the names of Matthew de Bagenholt and Alan de Bagenhall were witnesses in King John's reign to a deed of gift, from Ivo de Pantine to Ada de Aldilkley, of land in the village.

Again, in the reign of Henry III. Erdswick, in his *History of Staffordshire*, declares "that in an ancient deed before that time men of that name were placed among and put before some of the chief men of this shire." We find Roger de Bagenhall was witness to a deed in the town of Leek about 1216, and John de Bagenhall received grants of land in Shenstone, near Lichfield, and Fotherley between 1246 and 1272. Ralph de Bagenald, of Newcastle-under-Lyme, executed a deed with a seal in 1397, and in the history of Leek the names of Roger, Nicholas, and John Bagenald are also mentioned as witnesses in 1491 in the same district. (2).

The name of the family has varied considerably, but in all the earlier documents it was spelt with three syllables and appears as Bagenhall, Bagenholt, Bagenald, Bagenold, and Bagenal. The earliest of settlers in Ireland retained generally the three syllable form. Not so in England, where it appears most commonly as Bagnall.

NOTE 1.—In Domesday Book under the head of Staffordshire there is the following entry:—"Buckenole. Terra Wasta. Hundred Cudolvestan. (now Cuddlestone) Rex. In Buchenole tria pars hidae. Chetel tennit. Tra III. Care." This means that the waste land in the Hundred of Cuddlestone belonged to the King; in Buchenole 3 parts of a hide and 3 carucates were held by one Chedel. A hide of land is variously estimated at 60 to 100 acres. A carucate formerly was as much land as one team could plough in the year.

NOTE 2.—See Erdswicke's *Survey of Staffordshire* and Sleight's *History of Leek*.

The legal records of Staffordshire, both civil and criminal, now accessible in the Library of the Salt Society in Stafford, abound in mention of the family. It was frequently about land and its boundaries, and recovery of debts, taking timber and corn, oxen, etc., showing how wild and unsettled was the countryside in ancient days of the middle ages.

Some interesting insight is given in the criminal records of the Stafford Assizes in Edward I's. time, amongst which the name of Bagenholt appears so frequently that it would seem as though the family had lost caste. One Stephen of that ilk was evidently a notorious disturber of the King's peace and a turbulent fellow, with a taste for robbery with violence in company with a band of followers. At last the country got so hot for Stephen's banditti that, in the legal language of the day, they "withdrew themselves" and were outlawed.

However, they were ultimately brought to trial and pleaded they were "clerks." This was a plea of "benefit of clergy," and was a privilege by which clergy accused of capital offences were exempted from the jurisdiction of lay tribunals, and left to be dealt with by their bishop. Latterly everyone who could read and, possibly, who understood the ten commandments, was considered to be a clerk, and the result of his so pleading was tantamount to acquittal. Accordingly Stephen and his brethren were acquitted with the help of his bishop! It is not surprising that with this proof of education always at hand the Bagenholt family continued to be the terror of the neighbourhood for several reigns.

It is recorded that John Bagenalt of Oncote, yeoman, had killed William Gydman with a sword while lying in bed; that another John Bagnald of Honford had laid in wait and killed John Lagowe with a bill. The end of this series of callous crimes came to a curious conclusion. It is recorded as follows:

"At Lichfield at Trinity Term, 2 Henry V. John Bagnold surrendered and produced letters patent of the King dated 5th July 3 Henry V. pardoning him for all treasons, murders, etc., perpetrated before the previous 8 Dec."

Hitherto the records of the family have been brief and not productive of many details save of robbery and murder. Such as are set forth illustrate the stormy and violent times of the Plantagenets, and disclose some glimpses of a wild drop in the Bagenal blood, which possibly helped to keep it alive in days when men trusted to their own armed right hands more than they do in these civilised times. But after John Bagenal's appearance upon the scene as a prosperous citizen of Newcastle-under-Lyme, the records of the family become traceable without much difficulty.

We now come to William Bagenhall of Newcastle-under-Lyme in the reign of Edward IV. (A.D. 1460).

He had a son Ralph, who married a Miss Elinor Sadler, of Nantwich, in Cheshire, and their son was John Bagnall, who had evidently a prosperous career as a burgess of his native town.

It would seem as though the family had descended from the landed class to that of burgess or merchant. At all events, John became Mayor of Newcastle

in 1519, 1522, 1526, 1531 and 1533. He married (like his father) a wife from Cheshire, Elinor, daughter of Thomas Whittingham, of Middlewich. By her he had several children—the eldest Ralph, then Nicholas, then Richard, and two other sons, of whom all that is known is that they were “slaine at Bullogne” (see Carew MSS., page 635). John had also two daughters, Mary, who married Roger Brereton, of Cheshire, and Margaret, who married George Bartram, of Barlaston, Co. Stafford.

From this stock sprang the Irish and English branches of the families which have flourished in various localities under similar names. As it is the object of this narrative to deal mainly with the Irish branch which planted itself in Ireland in the 16th Century, the plot passes and repasses frequently between the two kingdoms, giving indeed on the Irish side a miniature history of what happened in the Island of Destiny until the Union of the Two Kingdoms in 1801. But, *coelum non animam mutant qui transmare currunt*. The name in some guise crops up in Canada, Australia, New Zealand, Ceylon and in other parts of the Empire. The United States can doubtless produce a Bagenal amongst its vast Irish population.

Quite recently the most convincing proof has been discovered of the existence of a French branch. In the cemetery at Orleans the following memorial appears:

“ Ici repose

Gabriel Raoul Fernand Bagenault de Puchesse

Counseiller Municipal d'Orleans, de 1848 a 1878.

Fondateur de la Societe de secours mutuels, 1851.

Un des fondateurs et le premier president de

l'Academie de St. Croix, 1865.

President du Comite des Ecoles Libres, 1881.

Decede le 24 Avril, 1889. dans sa 76ieme annee.

“ Il se repose de ses travaux car ses oeuvres le suivent.”

According to a pedigree compiled by Colonel John Nock Bagnall, late of Lichfield, a *Gabriel* Bagnold, of Norton Green, Norton-in-the-Moors, whose Will was proved at Lichfield, May 26, 1721, was descended from Hugh Bagnold of Weston, “in ye parish of Stoke,” and whose Will was proved in 1541. Buried at Caverswall.

From information given by a French Officer in 1920, a family of the name of Bagenault de Puchesse was then well known in Paris. The name was connected with Racing Circles (? Training Stables). If further evidence were wanted of the fact that M. Bagenault de Puchesse was of true Irish descent, his connection with horses and racing stables would certainly be immediately accepted.

CHAPTER II.

SIR RALPH BAGENAL.

John Bagenal's eldest son was named Ralph after his grandfather. Of his early life nothing seems known, but he must have had some education, as his subsequent career suggests. He became a soldier and an adherent of the Protestant cause in its early development in the reign of Henry VIII., and was knighted at Roxburgh, after the "cruel battle of Musselburgh," by the Duke of Somerset in 1547. Metcalf's *Book of Knights* gives his arms thus: "Sable on an escutcheon ermine within an orb of martlets Argent, A leopard's face gules."

His name occurs as one of the defenders in the jousts holden on the morrow of King Edward VI's. Coronation, 21st February, 1546. Plot, in his *History of Staffordshire*, mentions "Ralph and Nicholas Bagenal, sons of John Bagenal, who raised again their sunk ancient family once seated at the village of their own name by their valour only."

At the dissolution of the religious houses Sir Ralph benefited largely by grants of land in Staffordshire. By letters patent bearing date at Westminster 7th July, 1552, the manor of Leek, Leek Frith, the Grange of Westwood, and Woodcroft, tythes, praedial, also messuages, granges, etc., etc., and the Abbey of Dieulacre, with most of its possessions, were granted by Edward VI. to his "well beloved" "sarvaunte Syr Raulfe Bagenalle Knight, in consideration of the good, brave and "faithfull sarvice which he as well in ffraunce, Scotland and Ireland as elsewhere "to his deare father's majestie and sythens then to his Highness, theretofore and "hereafter and intended to doe, at a yearly rent of £105—7—7½."

In his *History of Leek*, Sleigh records that Sir R. Bagenal of Dieuleacres Knight built a chapel dedicated to St. Matthew "on the waste at Marbrooke as well for "and in consideration of Divine Service of our Lord God to be ministered and "celebrated therein as for the easement of my soule's comfort and also for the "love and goodwill I owe and bear to my beloved tenants and neighbours in the "hamlet of Frithe, as in consideration that I and my heires forever hereafter "may be solemnly prayed for in Lords Dayes and feastdays by the priest there "ministering or preaching the Word of God." By deed 2nd February 7 Elizabeth he appoints his well beloved in Christ, Edmund, Richard, and Thomas Broughe, T. Gent, Jas. Halley, William Cunliffe, John Pillesbury, trustees of the said chapel, endowing it with a house and garden, and 2 crofts adjoining the chapel yard, and other parcels of land.

Leek has been called the capital of the Central Moorlands, and is situated on high land (600 feet above the level of the sea), in the middle of an amphitheatre of hills. Below is the valley of the Churnet, one of the most romantic and beautiful spots in the midlands.

Leek has been a market town since the Conquest, when William I. gave it to his nephew, Hugh Lupus, first Earl of Chester. Ralph, the sixth Earl, after his return from the Crusades in 1214, founded the Cistercian Abbey of Diculacres, and endowed it with the Church and manor of Leek. The building of the Abbey was said to have been suggested to him in a dream. On his death his heart was confided to its walls.

King John granted to Ranulph, Earl of Chester, a charter for a market at Leek and also for an annual fair, and ever since these have been renowned throughout the Midlands. The old market cross exists, and was re-erected adjoining the cemetery. At the dissolution of monasteries, Leek Manor was appropriated by the King and was eventually, as has been noted, given to Sir Ralph Bagenal in 1552. In those days Leek was famous for its manufacture of buttons from silk, "curiously wrought with the needle" and making a "great figure in trimmed suits." This was supposed to have been its first industry. To-day the town is a busy industrial centre, with large silk factories which date from the arrival of the Huguenots in 1685. Nevertheless its ancient features and characteristics are still to be traced as they were in the days when sword, pike and bill were the main avenues to wealth and distinction.

The origin of the name Leek has been much discussed by antiquarians. Sir Robert Ferguson derives it from the Cymric *lech*, a stone, in allusion to the rocky nature of the surrounding country, in which The Roches are so remarkable a feature.

While his younger brother Nicholas had already been made Marshal of the Army in Ireland, and was getting valuable leases in the County Down, as will be seen later, Sir Ralph had put in an appearance on the field of Irish affairs. In 1550 he was made a member of the Privy Council in Dublin, when Sir T. Cusack was Chancellor and Sir Patrick Barnewall (whose wife was his niece) was Master of the Rolls. In the same year came a letter from the Lord Protector Somerset and the Lords of the Council in England to Sir Anthony Sentleger and the Council in Ireland, stating that Sir William Seintelow desired permission to repair to England and leave his office of Lieutenant of the Army in Ireland; and "their Lordships, thinking fit to comply with his request, desire to place in his office the bearer, Sir Raulfe Bagnall; and his Majesty desired that he should be appointed unto all the offices which Seintelow held, with all profits and allowances incidental thereto; and that he should be invested with all power, to the intent, that for lack or want of authority and credit amongst his Majesty's people, he should have no impediment, but to serve his Majesty according to the trust committed unto him."*

In 1551, when Sir James Croft succeeded St. Leger as Lord Deputy, Sir Ralph continued in office. The Scots had lately made themselves supreme in the North-East corner of Ireland, and a great effort was made to capture the McDonnell's stronghold in the Island of Rathlin. There lay at Ballycastle four small vessels,

*Cal. Pat. Rolls, Vol. 1.

which the English men-of-war captured. Some of the prisoners were brought before the Lord Deputy, and the result of their examination was a resolution at once to attack Rathlin, where James McDonnell, son of Alaster, the head of the powerful Irish clan McDonnell, and his brethren were. Bagwell in his *Ireland under the Tudors* tells the story :

" It was found that the captured boats would only carry 200 men, and it was therefore resolved not to risk a landing unless some more of the Scots vessels could be taken, or unless the men in the island yielded to the fear of the cannon upon the English ships. Sir Ralph Bagenal and Captain Cuffe approached the island with about 100 men, but the galleys which they wished to seize were at once driven in shore, and a threatening crowd of Scots hung about the landing-place, and took no notice of the fire from the ships, which was probably too vague to endanger them much. The tide was ebbing, and the invaders seemed to run no great risk ; but the Race of Rathlin, even in the finest weather, is never quite calm, and a sudden reflux wave lifted Cuffe's boat high and dry on to the rocks. The men, about twenty-five, were slain on the spot, the officers taken and held by James Mac Donell as pledges for the return of the goods taken from him about Glenarm, and for the release of his brother Sorley Boy, who was a prisoner in Dublin. Croft was obliged to yield on both points, and the whole expedition ended in failure."

The King had an ardent Reformer in Sir Ralph. He was an active member of the Lord Deputy's Privy Council, which had been ordered to carry out the Reformation in Ireland, hitherto untouched by the movement. There Protestantism was practically unknown and ignored. The Roman Catholic Mass was still being said by the Primate, Dr. Dowdall. The population might be said to be entirely Roman Catholic. One day there was a discussion in the Privy Council as to the course to be pursued, and the Lord Deputy Saint Leger seems to have been in favour of letting things be. Archbishop Brown, who represented the Protestant party, gives an account of what passed in the Council, which included an outbreak by Sir Ralph, who called the Primate an " errant traitor." Sir Thomas Cusack, the Chancellor, the Primate's cousin, answered " Mr. Bagenhall, no traitor."* So the " Primate departed and continued as he did," until St. Leger returned to England next year. Then Dowdall, rather than give up the Mass fled the country.

Sir Ralph at this time was a prominent man in Staffordshire. He was Knight of the Shire 1555-9, when Queen Mary came to the Throne. He subsequently sat for Newcastle-under-Lyme 1563-7. Under Mary he showed his Protestant principles with boldness. From his place in the House of Commons he refused to acknowledge the supremacy of the Pope. When Cardinal Pole induced the House to declare penitence and grief for the long disobedience of the English people to the Papacy, Sir Ralph refused. In his *Book of Martyrs* Fox thus describes the scene : " So they all kneeled down and received it (the Pope's bless-

*Calendar of Patent Rolls, Ireland, Vol. I., p. 1861.

“ing in Parliament), all save one Sir Ralph Bagnall, who said he was sworn to
 “the contrary to King Henry VIII., which was a worthy prince, and laboured 25
 “years before he could abolish him, and to say that I will now agree to it—
 I will not.”

Tennyson in his play of “Queen Mary,” Act 3, Scene 3, introduces Sir Ralph as a prominent actor in this historical scene, and makes him the sole M.P. to rise and remain standing while the Commons kneel in Whitehall before Cardinal Pope, who absolves them. Tennyson puts the following words in Sir Ralphs’ mouth:

“We strove against the papacy from the first,
 “In William’s time, in our first Edward’s time,
 “And in my master Henry’s time, but now
 “The Unity of Universal Church,
 “Mary would have it; and this Gardiner follows;
 “The Unity of Universal Hell,
 “Philip would have it; and this Gardiner follows,
 “A Parliament of imitative apes!
 “Sheep at the gap which Gardiner takes, who not
 “Believes the Pope, nor any of them believe—
 “These Spaniel-Spaniard English of the time,
 “Who rub their fawning noses in the dust,
 “For that is Phillip’s golddust, and adore,
 “This Vicar of their Vicar. Would I had been
 “Born Spaniard! I had held my head up then.
 “I am ashamed that I am Bagenhall,
 “English.”

(Enter Officer).

O. Sir Ralph Bagenhall?

B. What of that?

O. You were the one sole man in either house
 Who stood upright when both houses fell.

B. The houses fell!

O. I mean the houses knelt
 Before the Legate.

B. Do not scrimp your phrase,
 But stretch it wider; say when England fell.

O. I say you were the one sole man who stood.

B. I am the one sole man in either house,
 Perchance in England, loves her like a son.

O. Well, you one man, because you stood upright
 Her Grace the Queen commands you to the Tower.

B. As traitor, or as heretic, or for what?

O. If any man in any way would be
 The one man, he shall be so to his cost.

B. What! Will she have my head?

O. A round fine likelier.

Your pardon. By river to the Tower.

[*Exeunt.*]

After his exploits in Ireland and in the House of Commons it is not surprising that the country under Queen Mary was too hot to hold Sir Ralph. He fled to the continent and remained there until Queen Elizabeth succeeded her Roman Catholic sister. Before leaving, however, he appears to have enfeoffed his brother Nicholas in the Abbeylands, who in his turn remitted 12,000 acres by fine to one Valentine Browne with a clause of warranty against Sir Ralph.

The exact property which passed is thus described:—"On the Octaves of St. Michael, 3 & 4 Ph. and Mary. Between Valentine Brown, esquire complainant and Nicholas Bagenall Knight and Ellen his wife deforciantes of the Manors of Leke and Frith, and of the site of the late Monastery of Delacres also 400 messuages, 40 cottages, 40 tofts, 6 water mills, a dovecote, 4000 acres of land, 2000 acres of furze and heath, 200 acres of marsh and £20 of rent in Leke, Frith, Tettesworth, Esyng, Lowe, Bradnap, Byrchehold, Westwood, Woodcroft, Horwood, and Fyld. Nicholas and Ellen remitted all right to Valentine and his heirs with a clause of warranty against Ralph Bagnall Knight for which Valentine Browne gave them 800 marks in silver."

Whilst in exile in France Sir Ralph was naturally looked after by Mary's emissaries. Thus in April, 1556, one Henry Wasse writes to Sir E. Hastings giving information of the Englishmen connected with Dudley's plot to be met with in France, amongst others Sir Robert Stafford, Sir Ralph, Henry Dudley, and two of the Horsey family. Again in May, Wasse makes a deposition as to his knowledge of Henry Dudley; says he heard Sir Robert Stafford had denounced Sir Ralph Bagenal to the French Government as a spy, and then prays to be released from his wretched dungeon.

There is, in the Acts of the Privy Council, 1556 to 1558, at Westminster, VII. October, 1557, a letter to the Constable of the Tower to "suffer Sir Ralph Bagenal Knight to repayre with him on such day as he shall appoint for this purpose to the Frenchman remayning in his warde that was taken at Skarborough with Thomas Stafford to the end he may fully understand of him what he is."

Ibid. "A letter to the Constable of the Tower to delyver to Sir Ralph Bagenal Knight, the body of John Sheres a Frenchman presently remaining in his custody and to take bandes of the said Mr. Bagnall to answer for the dyettes and charges of the said Frenchman as it shall be hereafter be determined by the Queens Majestic and the Counsayle."

From these entries it would appear that Sir Ralph had returned to England in 1557, and was utilised as an interpreter on these occasions at the very end of Mary's reign.

With the advent of Elizabeth Sir Ralph was again in favour. He recovered the

Abbeylands by a fine levied for which he had to pay the large sum of £2,111, equal to eight or nine times in value of our money. This appears to have crippled him for the rest of his life, for he is found selling the property piecemeal very shortly afterwards to the former tenants of the Abbey. The Queen first gave him the non-residence fines of twelve bishoprics, but there were legal obstacles, and he begged for something more substantial. Subsequently the Queen gave him the rectorial tithes of the parish of Leek. [The original grant is said to be still extant, and to be a marvel of calligraphy, with a fine portrait of Elizabeth worked into the uncial letter. It is not, however, now traceable.] Tradition has handed down that the Queen told Sir Ralph that when he became poor "if Abbeys and "Granges would not serve he must needs have the run of her kitchen." "Good-fellowlike," as remarks Erdeswick, "he dispersed and *dedit pauperibus*, for he "sold the land to the tenants, for the most part to everyman his own, at so "reasonable a rate that they were able to perform the purchase thereof: and "spent the money gentlemanlike, leaving his son Sir Samuel (now lately knighted "at Calés [Calais] anno 1596) to advance himself by his valour as he before had "done."

An old MS. at the Salt Library in Stafford gives the following characteristic anecdote of Sir Ralph when he lived in Leek:—"Sir Ralph brought out of "Ireland a very cheery blade that waited on him and took his accounts: which "Sir Ralph finding 'for Reveldash fair rounds,' asked what Reveldash was. He " (the cheery blade) told him that the gentry and all the country had a great "honour for his worship; that he could not pass up and down the street but one "or other would call him in and they must drink his master's health; and he "would not disgrace them so much as not pay with them; and that Reveldash "was what it cost him in drinking his health, which he allowed him then and "ever after." Such is the story and it is vouched for as follows:—"Isaac "Harrison he had this as he takes it of Mr. Parker the attorney of your town." The addition of a new word to the English language is worth noting and especially as it appears to have been coined in Ireland and brought over by a cheery blade from that country. The incident reflects the accuracy of the contemporary opinion of Sir Ralph as a very convivial soul of extravagant habits.

In 1561, ten years after the attack upon Rathlin, a curious correspondence appears in the State papers which evidently refers to an episode in the business in which Sir Ralph was concerned:—

"George Butsyde to Randolph. Sept. 2, 1561.

"Has been a prisoner with Lord James Macdonell these 10 years, being betrayed and laid in as pledge by Sir Ralph Bagnalle who was Lieutenant of the forces in Ireland, for £500 promised for the ransom of Sir Jas. Croft and himself. Sir Ralph obtained the money from Edward VI. but has not redemmed his promise. He prays Randolph to be a means with the Duke and the Earl of Argyll to obtain leave for him to go into England to follow the law against Sir Ralph. Is well assured that he may be released for £100 or less. If he could have half a year's

respite he would recover the whole of Sir Ralph. The writer comes of the best blood in Devonshire and Cornwall as he shall understand by Sir P. Carew."

"*Thomas Hedley to Randolph.* 22 Sept., 1561.

"Perceives that Mr. Butside would fain have relief. Has travailed importunately to Sir R. Bagnall for his redemption, which had been practised long before if he had not been sworn Scottish, and rendered up his allegiance from England which makes his taker discredit him and advances not his suit here. Desires Randolph to charge him with the report of such bruits as are made of his revolt, which if he can prove otherwise by testimonial from his taker there shall be yet more done by his relief. . . . The father of the Earl of Argyll upon his deathbed told Hedley that Butside fell to his part of Sir R. Bagnell's ransom and indeed at that time he was in his custody. If the present Earl will ask him to his custody it will be granted and then the title may be disputed. But before anything be opened to Jas. Macconnell the men must be removed from his clutches, or else the ransom will be greater than any friends or kin of Mr. Butside are able to perform."

"*Randolph to Cecil.* 28 Feb., 1562.

"Has concluded with James Macdonnell for Sir Ralph Bagnall's pledge and is bound to pay him 120 angels and his best horse and he within 40 days to deliver the man."

"*George Butsyde to Cecil.* 11 Dec., 1562.

"Randolph has reported to him how good he has been, without whose help he would have ended his life a prisoner, as he has been most miserably these 11 years past. Remains here (Edinburgh) until he has paid his debts to certain merchants. Hopes that Sir Ralph Bagnall will consider what he has endured for his sake."

Butside must have been captured by the Scots at Rathlin and held for ransom, his guarantors apparently being the Lord Deputy and Sir Ralph. If Butside's story was true the latter played a very shabby trick, not to be excused on account of his perpetual impecuniousness. Butside, however, admits that he had been "sworn Scottish and rendered up his allegiance to England" probably to save his life—and possibly Sir Ralph may have considered that such disloyalty might fairly operate as a bar against ransom. The whole transaction throws a curious and unpleasant light on the treatment of prisoners of war in the Tudor times.

In 1568 Sir Ralph was in Holland engaged in military operations. While there he wrote to the Lords of the Council on the subject, adding at the end the following: "I beg you to move Mr. Secretary and Mr. Mildmay in a debt of "£1,000 owed to me by the late Andrew Wyse, Treasurer of Ireland. I can "then pay Her Highness £500 or £600 due by me. When I pay Her Majesty "but 20 nobles yearly till the sum be answered this way she shall be presently "answered of the whole." (*Pepys MSS.*) Poor Sir Ralph! always in want of money, this scheme of getting the Council to put pressure on his alleged creditor, the Treasurer of Ireland, to pay the Queen his own debt was perhaps his newest way of paying old scores.

Sir Ralph ended his adventurous career in 1586, and it is related that "good-fellowlike" he died at the Star Inn, Coventry, not long after the expedition to Cadiz. The manner of his death was characteristic.

"I am told," says Mr. Thomas Bagenal, "by father that Sir Ralph died on his way to Staffordshire from London, in a large wainscot room next the street at Coventry; he is not sure whether at the Beare Inn. I have now found in father's collection he died at the Star Inn."*

Sir Ralph married Elizabeth, third daughter of Robert Whitgreave, of Burton Manor, Staffs., by whom he had a daughter, Frances, who married John Lovatt, of Trentham, Staffs. He had also an illegitimate son named Samuel, whose career ended in a knighthood and will be dealt with by itself. Sir Ralph was a good example of the numerous men of the Tudor period who, sword in hand, made their way to the front, and spent their lives and money prodigally in the cause of King and Country. Not very scrupulous and not very merciful in their dealings, they were the courageous and vigorous instruments of the Sovereign that employed them. Soldiers of fortune, they either were successful and gained lands and title, died with harness on their backs, or ended their days in poverty and neglect. But they helped to make the 16th Century a great landmark in the history of England.

After Sir Ralph's death his brother Sir Nicholas became possessed of the Leek estates, and soon found himself in difficulties with the tenants. Amongst these were Richard Davenport, Thomas Joddrel, George Armyth, John Jollie and others who had purchased lands from Sir Ralph at very low prices. In 1588 Sir Nicholas petitioned the Court to declare that these lands had been sold for not one-fourth their value. The rents reserved to the Crown were £173, but Sir Ralph had only reserved £144 6s. 7d. He stated that he had been compelled to pay the difference to the Crown, and alleged "cunning dealing" and "subtil practices in the purchasers and tenants." The ultimate issue of the suit is not recorded, but from other evidence it seems clear that Sir Ralph had not much consideration for those who came after him.

It is interesting to know that the lands sold by Sir Ralph to the Davenports still remain in possession of the same family. The present owner has a parchment deed in good preservation, dated 6th November, 1563, which contains a grant by Sir Ralph Bagenal to Elizabeth, widow of William Davenport and to her son John Davenport. The signature of the Knight is fine and bold.

*MSS. and transcript of same by Mr. T. Bagenal, 1689. Salt Library, Stafford.

CHAPTER III.

SIR SAMUEL BAGENAL.

Sir Ralph had a son, Samuel, who also distinguished himself as a soldier and was knighted at Calais for his services in the field. Sir Samuel was engaged in the famous expedition against Cadiz in 1596, commanded by the Earl of Essex, when he was captain in Sir Francis Vere's regiment. Most of the famous men of valour in England were in this feat of arms, viz.: Lord Thomas Howard, Sir George Carew, Sir Walter Raleigh, Sir John Wingfield, Sir Conyers Clifford, Sir M. Morgan, and a hundred other warriors eager to bring the Spaniards to book and to spoil the great city on the South Coast of the Peninsula.

It is not necessary to describe the capture of Cadiz on June 30th, 1596. Sir Samuel commanded 100 men in the proceedings. Of his personal achievements we have no record, except that he received many wounds in that wonderful exploit. He was knighted by the Earl of Essex by especial authority from Queen Elizabeth. The following letter to the Earl of Essex from the Deputies for the States General would seem to denote that he was held in high consideration for his services in Spain:—

“The Deputies for the States General to the Earl of Essex.”

“1596, Oct. 12, 22. Some merchants dwelling in London have very earnestly required a word from them to Essex in favour of Laurence Chimney, a Fleming, lately brought prisoner from Cades, having lost his all by the capture and sack of that town, to the total ruin of his wife and five children; that, relying on his sincerity and good behaviour in these parts, it would please his Lordship to release him and another Fleming, who has lost his senses since the taking of the town, and to give them to Sir Samuel Bagnal, to be ransomed. It is not likely that after loss of all they had, any ransome will be forthcoming; they ask therefore for their release without any ransome.”*

There was much plunder taken at Cadiz and an enquiry was held on the subject†. In the Report of the Commissioners at Cadiz in 1596, Articles were preferred by Sir Gelly Meyricke, Knight, against Sir Anthony Ashley, Knight, and Sir Samuel was evidently quoted as a witness, as the following shows:—

“Article 5. He said to divers in course in saying that ‘He would and could stand (i.e. withstand) them, as namely Sir Samuel Bagnoll’ in procuring presiners from my Lord, having a roll of most that were in the town; interesting himself in part of the gain, as shall be proved by Sir Samuel his own confession before your Lordships that I should promise him a piece of velvet which he had

*The high ransom that continued at this period to be paid for prisoners made the possession of them a very desirable object. (See Cuff's *Relation of the Siege of Cadiz*.)

†Cal. Pat. Rolls, Ireland, Vol. 2.

not, urging Sir Robert Cross that he should give him some sugars. He not answering his expectation said he could have slayed all; the other answering 'It is easier doing hurt than good.' "

In the critical days when the country was expecting the Spanish Armada Sir Samuel was fully employed. He writes to Sir Robert Cecil:

"After our arrival at Plymouth I was commanded by my Lord of Essex hither to Milford and to the shires near adjoining to do my endeavour to put the people of these countries in the best order I could to forbid the enemy's landing here if so he should attempt it."

We find Sir Samuel mentioned in the State Papers in 1596, when he was entrusted during the threatened Spanish invasion with the defence of the Isle of Wight. The record runs as follows:—

"1596. 9 Nov.—Estimate of the cost of the 900 soldiers levied in Hants and Wiltshire and sent to the Isle of Wight—to remain there for the defence of the said Isle of Wight, being distributed into 6 bands of 150 in each band, under Captain Lord Hunsdon, Sir Samuel Bagnall, Latham, Williams, Elmes, and Cotton, each of whom is to have "by way of imprest" 20 £ for himself and his officers, to be deducted out of this entertainment. Rate of wages—Sir Samuel Bagnall, as Colonel of the whole, 10s. a day; Frederick Genebelly, an engineer, 10s. a day; Captain 6s., lieutenant 3s., ensign 1s. 6d., Sergeant 2s., drums 2s., surgeon 1s., men 8d. Amount of each of these items for one month, total being 14£ each for Colonel and engineer, and 970£ 3s. od. for the rest. Signed by the Council, viz.: Lords Burghley, Essex, Howard, North and Buckhurst, Sir W. Knollys, and Sir Robert Cecil.' "

Henry Lord Hunsdon was son of Lady Mary Boleyn, Queen Elizabeth's aunt, and therefore her first cousin. Lord Hunsdon had two children, Robert Carey (afterwards Earl of Monmouth), who was the first to carry the news of Queen Elizabeth's death to James I., and Philadelphia, Lady Scrope, who was a lady in waiting on the Queen and who dropped the "Blue Ring" out of the window to her brother when the Queen was dead and so enabled him to be the first messenger to James I. announcing he was King.

In the following December, writing to Sir R. Cecil from Carisbrook Castle, Isle of Wight, Lord Hunsdon describes the disposal of the garrison of 900 soldiers, and how great an appalment it was to the island "to be thus left destitute, considering the continued report of Spanish preparations." He highly commends the conduct of Sir Samuel Bagnall and the Captains while there, and hopes it will win them preferment in their next employment.

The scene shifts to Ireland, where tremendous efforts were still being made to wipe out the authority of Tyrone. Sir Samuel had been given a command which elicited a letter of criticism from Captain Augustine Heath to Sir Ferdinand Gorges, Governor of Plymouth. It is worth reproducing, as it gives an illuminating stroke as to the personal character of Sir Samuel:—

"1598. Oct. 6.—Sir S. Bagnall having the absolute command of these 2,000

men a thing unaccustomed to the country and very unsavoury to the Council of Ireland's liking, our commander being a man not desirous to impart with any of his authority, but thinks to govern himself according to his own directions without seeking anything as their hands, which the States of Ireland cannot endure."

Sir Samuel is mentioned in a "Statement of the Army in Ireland" in 1599, where he appears as Commander of the Forces at Loughfoyle. Sir William Windesor in a despatch to the Earl of Essex dated the 8th July, 1600, from Derry reports "the prosperous success of our Northern Enterprise." An army put forth from Chester on 23rd April and arrived at Carrickfergus on 27th. They waited for ships to join them from Dublin, and on the 12th May put to sea for Lough Foyle, landing 15 days later in the river Kilmore in "Odoorde's" (O'Dogherty's) country. Sir John Chamberlayne was killed in the fighting that took place. When they arrived at Dunolong, Tyrone quitted Strabane. "He hath sent for the borderers of the Blackwater who have answered him--'Sir Samuel Bagnall so continually annoys them that all they can do is little enough to defend those parts.'"

The last mention of Samuel to be found in the State Papers is contained in a letter from the Knight himself to Sir R. Cecil. It is an excellent example of hundreds of similar applications to the people in high places in Tudor times, when presents were nearly always given with a lively sense of favours to come:

"1602. Nov. 1.--I humbly beseech your Honour to receive me unto your honourable opinion and to forgive that I have forgotten, and I will be to you as serviceable as any man alive. I have delivered to this Lord President my heart and I hope he will tell you what I am. I have made bold to present you with two dogs. Had I a fairer present it should come. P.S.--This great white dog is the most furiosest beast that ever I saw."

In 1600, when George Carew, Lord Mountjoy, entered the field against Tyrone after the failure of Essex, Sir Samuel was given a command in Newry and took part in the Viceroy's Expedition to Lough Foyle and the North. There he had the reputation of being as rough in his methods as Chichester himself. But he was not popular with his superiors and was superseded for the time. Afterwards he appeared in Munster, when the last Spanish expedition had landed and was driven off and O'Neill's final hopes perished. Stafford in his *Hibernia Pacata* mentions various passages of arms in which Sir Samuel was concerned, particularly one remarkable night attack upon Tyrrell in Muskerry, in which the native forces were entirely destroyed.

NOTE.--Irish dogs were at this period very much in demand. One Gomez Guiccardine, a secret agent of the Earl of Essex in Florence, added the following postscript to a letter of information written in 1596: "If you do determine to present the Duke (of Florence) with anything from thence (Ireland) there will be nothing so acceptable unto him as some dogs of that country that were fair or fierce for the wild boar. Sir George Savile also wrote to Sir R. Cecil in 1595 on the important subject of dogs for sporting purposes.

Sir Samuel died early in the reign of King James I., probably from the effects of his numerous wounds at Cadiz, as he must have been still a young man. The following letters show how poorly provided were his widow and children :—

“ 31. Jan. 1606. Sir A. Chichester to The Earl of Devonshire.

“ The late Sir Samuel Bagnal having left his widow and her 5 children and not £5 in lands or goods to maintain or relieve them (as she has requested him to declare to your Lordship) he has left the Castle of Narrowater with a ward out of his own company in her custody until May next, whereby she might keep such of the children as are in this country together and free from misery for a season until she might provide better for them by means of friends there. . . .

“ In consideration of her pitiful state he had given her £50 and would have suffered the company to have continued longer upon Sir Samuel's list, although bestowed on him (Chichester), but that the profit which he meant for her good was converted towards Sir Samuel's debts.

“ Beseeches a speedy dispatch for Lady Bagnoll for her estate will not endure a long suit.”

William Ravenscroft to Sir John Davys. (Extract from a letter) 8. March, 1606. (Cal. State Papers, vol. 61, p. 234). After other matters he says : “ In the meantime good Sir John let me recommend unto you my dear and near cousin, Mrs. Bagnall and that you would in my name move my two good Lords Sir J—— and Sir Humphrey W—— to protect her as far as the justice of her cause will deserve for the which I shall be much beholden to them. Lincolns Inn.”

“ 1606. Aug. 20th. Lords of the Council to the Lord Deputy. Recommending to his care the petition of Lady Blanche Bagnall in respect of the good service done by her late husband, etc.

“ Petition. The Humble Petition of the Lady Blanche Bagnall Humbly sheweth Whereas Sir Samuel Bagnall Knight, petitioner's husband for the space of 8 years had the keeping of a castle called Narrow Water upon a passage in the North of Ireland he had a custodiam from the late Earl of Devonshire upon which he had bestowed great charges in repairing it and lived in very much danger therein during the late wars there. And now the Petitioner since her husband's decease repairing hither to the King's Majesty for some relief for herself and her children having no means left her by her husband she feareth that her children will be put out of the castle by the Lord Deputy before she despatch her suit to return to them.

“ Prays direction to the Lord Deputy to continue her children a possession till she can provide for them elsewhere. And when she is turned out prays to receive some satisfaction for the costs bestowed on it by her late husband.”

In King Charles' reign efforts were made on behalf of Sir Samuel's daughter Ursula, whose case was brought before the King.

Charles I. wrote a letter to Viscount Falkland and the Council of Ireland commencing with the following sad preamble :

“ Whereas Ursula Bagenal, daughter of Sir Samuel Bagenal, Knight deceased,

by reason of her father's wants, at the time of his death, was left destitute of any means for her livelihood or preferment." The letter then goes on to relate how James I. had been petitioned by the orphan Ursula for a grant of £500 out of the recusants fines in Ireland "towards her preferment." A difficulty in the way however was mentioned. James I. had constituted the Archbishop of Armagh his almoner in Ireland and had given him free liberty to dispose of the recusants fines to pious uses as he should think fit and unless the Earls of Arundell and Pembroke recommended the petition of Ursula to the Primate he could not well approve of the proposal. This, however, was done and by letters dated 12 July, 1619, the Primate agreed to provide £500 out of fines for the orphan's benefit. But unfortunately the Primate died before the money was transferred, and we are told that "his executors although they have in their hands an exceeding great estate of the goods of the Lord Primate, yet they refuse to make payment of the £500." Accordingly Ursula made humble suit to the King. Charles replied "that we would be graciously pleased to take into our Royal consideration as well the merits of her deceased father and his many services done, as well in that our realm of Ireland as in other countries, as also her poor and miserable estate and in a summary course to compel the executors of the Lord Primate to make payment of the £500." The petition was granted and the King required the Deputy to call the Executors before him, and on verifying the facts to order the money to be paid forthwith to the petitioner. (Patent and Close Rolls, Ireland, Charles I., page 279).

That Sir Samuel had a son Ralph appears from a list of "Servitors thought meet to be undertakers" for planting Ulster: "none to be admitted but a martial man." Of those unable to plant 1,000 acres, two, three or four to be formed in the proportion of 1,000 acres. (Cal. S.P., James I., 1608-10). In 1629 Captain Ralph Bagenal petitioned the Council of War, having been employed in His Majesty's service ever since the expedition to Cadiz and prayed payment of arrears of pay. (Cal. S.P. Dom.)

Sir Samuel's wife, who was daughter of a Mr. Burlace, ultimately must have secured some help, for mention is made of her visit to Ireland from the neighbourhood of London.

"My cousin Ellen Weever tells me that her father Mr. Randal (? Bagnall) was invited by Sir Samuel Bagenal's lady to London and attended her down and my father went to London to bring my lady. She brought with her her son Hannibal and two daughters and Sir A. Aston. She sent her own pad for cousin Weever to meet her and stayed at her father's house a three weeks. My cozen was my lady's bedfellow all the while. Sir Arthur and my lady owned the relation and constantly called them cousins and were very desirous to have their company with them into Ireland. They lived she said at Londonderry. Notwithstanding their entreaty which was very much and earnest they could not prevail with her to cross the sea. This she told me about 40 years since. To proceed upon further enquiry she (Lady Blanche) told me that one of her daughters she

had then with her was Sir Walter Aston's lady and the other was the wife to Bishop Downham. The son Hannibal might be the age of 14. My lady might be about 60. They had an estate about Coleraine."*

*See these MSS. in the Salt Library, Stafford.

CHAPTER IV.

SIR NICHOLAS BAGENAL.

Of John Bagenal's second son's early years little is known. In a letter addressed in later days to Robert Dudley, Earl of Leicester, Queen Elizabeth's favourite, Sir Nicholas gives us a clue to his early history. "My advancement," he says, "grew by your father (John, Duke of Northumberland, beheaded by Mary), and upon your brother and yourself hath been ever since my whole dependence. Your prosperities, next to her Majesty's hath been my chiefest earthly joy." (*Carew Papers*.) This is couched in the true Elizabethan style, but is also a sincere acknowledgement of the patronage which had advanced the young man in his career. The Dudleys were themselves Staffordshire born, which possibly accounts for their interest in him.

The first thing recorded of Nicholas is, that he had killed a man by misadventure in a brawl "with certain light persons," and was in consequence obliged to fly the country. What were the reasons that tempted him to cross the Irish Channel we know not. As a Staffordshire man with relations in Chester he was doubtless aware of the troubles in Ireland, and perhaps was tempted to fly thither from the hands of the English Sheriff; Chester in those days being the usual starting point for Ireland. This happened about the year 1539, when Nicholas was thirty years of age. He took good care to choose that part of Ireland which was least amenable to English rule, and sought refuge in Ulster the land of the O'Neills, the province with which he was destined to be so closely associated for the rest of his life. Whatever the full history of Nicholas Bagenal's bloody escapade, he made good his way to the court of O'Neill, where he found shelter and employment as a mercenary soldier. The fact that he had killed a man in a fray was perhaps the best recommendation he could have brought to Con Baccagh (The Lame) O'Neill, 1st Earl of Tyrone. With the O'Neill Clan, at all events, Nicholas was domiciled for two or three years, and he so ingratiated himself with the Earl that the latter made successful intercession on his behalf with the Lord Deputy for a free pardon.

A letter was accordingly written by the Dublin Privy Council to London as follows:—"7th December, 1542. And whereas at the repaire of the Earl of Tyrone unto these parts he has made humble and earnest suit unto us to be mean to your Majesty for the pardon of one Nicholas Bagenal, late your Highness servant who (by chance as the thing unto us did appear) was in company of certain light persons, when there was slain one of your Majesty's subjects. For the while the said Nicholas fled hither and has sithens done here very honest and painful service, and therefore at the humble suite of the said Earl we most lowly beseech your Majesty to be so good and Gracious Lord unto him as to grant your most gracious pardon." (See *State Papers*, Henry VIII., Vol. iii., p. 439-440.)

The pardon was granted in terms which in the present century would probably excite considerable suspicion of the young man "with a past." It runs as follows:—"Nicholas Bagnall, or Bagnolde, or Bagenholde, late of Wolston, Warwickshire, *alias* of Warwick, *alias* of Stafford, *alias* of Langforde, Derbyshire, Yeoman. General pardon of all murders and felonies by him committed. Westminster, 2nd March, 34 Henry VIII. (1543)."

Who was this Earl of Tyrone who befriended Nicholas Bagenal, the Outlaw? His father was Conn Mór O'Neill, the most important Irish Chief in Ulster, whose territory stretched from Strabane to Dundalk. His mother was Alice, daughter of the Earl of Kildare, Lord Deputy of Ireland. He came therefore of the two most turbulent stocks in Ireland, the O'Neills and the Geraldines, and well did he maintain the fame of his forbears. For years Conn *Bacach* O'Neill fought with varying success against the King's forces; and when he was not fighting Englishmen he was busy waging private wars against other Irish Chiefs. At last in 1542, his country wasted with war, and incapable of supporting an army, O'Neill made his final submission to Henry VIII. He even went to London and received the Earldom of Tyrone, being the first Ulster Chief who had ever accepted an English title in exchange for the Royal name of O'Neill. This was considered in Ulster a degradation. Such was the chief with whom Nicholas Bagenal sheltered for some years, and by whose influence at a fortunate juncture he was ultimately enabled to wipe off the stain of outlawry. It is, however, by no means the last connection with the O'Neills that Nicholas had in his subsequent career, as will be seen later on. The fate of the two families was curiously linked up in the next generation, when another Earl of Tyrone married a daughter of Nicholas, and was the conqueror of his son Henry on the Battlefield of the Yellow Ford.

When Nicholas lived in Ireland there was no local government worthy of the name, no local feeling for parish or shire. City life was confined almost entirely to Dublin, for in Waterford, Cork, Limerick, and Galway the citizens had no vigorous life of their own. In Ulster there was no town; Armagh was a mere village. As far as ranks were concerned they never mingled as in England. There was no middle class, and professional careers were confined to arms and the law. Merchants were few and far between. There was little of what the English race called "civilitie." There was no real army. Such army as existed was of a primitive kind and consisted of a "hosting" in each district, stiffened by a few levies from England. Ireland, in fact, at the beginning of the 16th Century was still mediæval and feudal in its social structure. It was practically ruled by a collection of petty dynastic chiefs of Irish or Anglo-Irish extraction, under the supposed supremacy of the English Crown. As the century wore on a gradual but great change occurred. When Henry VIII. came to the throne in 1509 there were in Ireland half a hundred district "septs" or "nations" all liable to be engaged in bloody conflict with each other. The Viceroy was only a nominal ruler. By the end of the Century these "monocracies," as they were called by contemporary writers, had disappeared and Ireland had been obliged to

acknowledge the rule of England as the rule of a master. The Tudor Sovereign effected this remarkable result by the strong hands of a series of Viceroys aided by numerous soldiers and statesmen whose courage and genius was only equalled by the terrors and horrors which they inflicted on the people they were sent to conquer. It was a tremendous social and political revolution, and it was not made with rose-water. As a brilliant writer on this period says: "Petty kings and princes had to be broken once for all. In blood and flames and horror of great darkness it was fated that Ireland should pass from barbarism to civilization, from the wild rule of the monocracies to the reign of Universal Law. . . . The history of the sixteenth century in Ireland is the history of the subjugation or extermination of these chiefs."*

In 1544, a year after his pardon, the Privy Council in Dublin (consisting of Lord Justice Brabazon, George, Archbishop of Dublin, and others), sent Nicholas off to the French wars with the following letter of commendation:—"The Lord Chief Justice and Council of Ireland commend the bearer, Nicholas Bagnolde, who has served in martial affairs here for four or five years, and now for his advancement makes suit to them to depart to serve his Majesty in France. He is a forward gentleman, and they beg favour for him, although they know of no private suit that he has, but only to serve in France."

Why did the Earl of Tyrone interest himself to get a pardon for his outlawed English refugee and "forward gentleman"? There must have been substantial consideration, for in Tudor days no one did service or conferred favours for nothing. The probability is that Nicholas fled to O'Neill's country in the first instance because it was out of the English jurisdiction. With O'Neill he doubtless acquired a good knowledge of the Irish language. To the authorities in Dublin Nicholas probably soon made overtures, and thus made friends with both parties in Ireland. Whatever happened, a year after his pardon Nicholas went off to the French wars and stayed there three years. When he came back to Ireland he must have brought back with him a high reputation as a soldier, for he was appointed Marshal of the Army at 4s. a day and 9d. each for 32 "light horsemen."

The Acts of the English Privy Council show that at the end of 1550 a letter was sent to the Lord Deputy of Ireland to admit Nicholas to the Council in Dublin, and from that time he was back and forth to England as occasion required. Thus in 1551 there came a letter to the Lord Deputy of Ireland requiring him "to cause Sir Nicholas Bagenal, Sir James Allen, Oliver Sutton, and Patrick Doodall, or as many of them as may be spared out of that realme to be addressed hither for the better understanding of the matter informed against Sir Anthony St. Leger by the Archbishop of Dublin."

The route therefore to Ireland was in those days by the Dee. Chester had large store-houses for the keeping of merchandise to be embarked for Ireland. All letters, messengers and vessels passed first from Chester to Holyhead, whence

*Standish O'Grady's *Red Hugh*.

there was a regular dispatch boat which set out for Dublin as regularly as weather permitted.

In the days of Henry VIII. Ireland was regarded as the proper field for "forward" spirits. For centuries it had attracted adventurers. Many lost their lives, but some had obtained fortune and fame in that country. The Capital and the four counties adjoining it, called the Pale, were held by the English power, and the form of a Parliament was kept up, but outside a certain radius the rule over the Irish was mainly the rule of individuals; and a strong hand, a ready tongue, a good sword, and few scruples were generally the equipment of a successful Englishman.

In Tudor times Ulster was the most disturbed and unconquered part of Ireland. It was almost a *terra incognita*. The native power during the reigns of the Plantagenets had waxed strong and rebellious in the North under the leadership of the O'Neills, while the Scots took a hand whenever opportunity suited against the common English foe. Here then was a great opening for the adventurer to do service to his King and to himself by making a settlement and fighting the Irish on their own ground. In this huge living drama, tragic and dark as it was, Nicholas Bagenal was fated to play a very important part as a soldier for nearly fifty years under many Viceroys and through many vicissitudes. He lived through it all, and wonderful to relate, died in his bed at a green old age.

Accordingly, at the age of thirty-nine the Marshal found himself in one of the most important positions in Ireland. Some idea of the responsibilities and authority of the Marshal of the King's Army in Ireland may be gathered from the terms of such an appointment.

He could appoint provosts, seneschals, jailors, and other officers for administering justice and for the good government of the army. He could hold courts-martial, and act as judge in a court for any troubles or actions, civil, criminal or military, arising amongst soldiers. He was in fact the ultimate authority in Ireland in all military affairs with power to inflict punishment and even death.

The Marshal's salary was £73 a year. In the 16th century money was worth at least ten times as much as it is to-day. The allowances for the Marshal's bodyguard amounted to £410 a year, and it is very probable the Marshal made something out of this item also, especially in his continuous campaigns, when his soldiers (according to the custom of the times) lived on the pillage and plunder of the Irish enemy.

It is clear from the terms of this appointment of a Marshal that he must have been continually in close touch with the Lord Lieutenant and Privy Council of Ireland. War, indeed, was the chief business of the English Government during the 16th century in Ireland. Though Sir Nicholas had his headquarters at Newry, he no doubt attended the Viceroys in their continual campaigns against the Irish Clans, and in this way he must have become thoroughly acquainted with the country. It is only necessary to read the *Annals of the Four Masters* to appreciate the disturbed state of the native chiefs themselves, or the *State Papers* to

understand the tremendous military difficulties of the various English Statesmen who were sent over to try and settle the country or conquer the Irish. They naturally turned for information and advice to the men who understood the country, geographically and politically, and all the arts of Irish bush-fighting, and as time went on the Marshal of the Army must have centred in himself a vast amount of dearly-bought knowledge and experience. In his time Sir Nicholas served under nearly all the famous soldiers and statesmen of the Tudor times. His first experience was under Sir Anthony St. Leger, who was not only a soldier but a cultivated scholar and diplomatist. He it was who inaugurated the new policy of Henry VIII. in Ireland which abandoned the old efforts to govern through the heads of the great Irish families, and aimed rather at the gradual conquest of the island by a judicious mixture of force and conciliation. Then came Sir Henry Sidney, father of the famous Philip Sidney, and the Marshal, we may presume, accompanied him in that Viceroy's successful military progress through Ireland which is depicted so graphically in Derrick's *Image of Ireland*. Sidney was brother-in-law of Lord Leicester, and it was natural therefore that he should befriend Sir Nicholas and stand godfather to his eldest son, Henry.

With the Earl of Sussex, who was Deputy when he lost his post as Marshal, he was not likely to be so intimate, as Sussex was opposed to the Leicester faction. But he must have met this perfect courtier and scholar regularly at the Privy Council in Dublin, and also his successors in the Vice-royalty—Sir James Croft, Sir W. Fitzwilliam, Sir W. Drury, Sir W. Pelham, Lord Grey, and Sir John Perrott, all of whom played their part in the history of the times.

It was in 1548, the first year of Edward VI's. reign, when Sir Edward Bellingham was Viceroy of Ireland, that we first hear of Nicholas' prowess in the Irish wars. The Pale had been for some time disturbed by the depredations of a gang of freebooters from Leix who had overrun the north of Carlow and the South of Kildare, plundering and burning on all sides. Bellingham, an able soldier and a Protestant, was sent over to Ireland with reinforcements to cope with Cahir O'Connor, who had advanced on Kildare. It is in this affair that Nicholas first distinguished himself. He fell in with the marauders and rescued the cattle taken, though his men were only in the proportion of one to sixteen. Cahir retreated but was pursued to a spot surrounded by bog, which after great difficulty the English crossed. Such was the slaughter of the Irish that Bellingham reported to the Privy Council "that the oldest man in Ireland never saw so many woodkerne slain in one day."

Bellingham was so celebrated for his warlike propensities that it is recorded in the *Book of Howth* that "he wore ever his harness, and so did all those whom he liked of." It was his policy of constructing forts and strongholds on the border of the Southern Pale which largely effected the revival of English supremacy in that district. It was he who first established the fort at Leighlin Bridge in the County Carlow, which ever after became important, commanding the road from Dublin to Kilkenny. The suppressed Carmelite Convent at Leighlin required

little alteration and was adapted for military purposes. Here the Lord Deputy kept a band of horse, and under this protection the County of Carlow became by degrees a settled county. Probably it was during his campaigns in Leinster that Nicholas became aware of the pleasant situation and desirability of the Barony of Idrone, which he afterwards purchased from the Carews.

Towards the end of the reign of Edward VI. Ulster was very restless and disturbed owing to the intrigues of the French King Henry II. and his emissaries. It was about this time that Nicholas began to reap the reward of his labours in the field. He received in 1550 a lease of the Abbeylands of Newry, where he had settled, and the terms of the deed give some recognition of his services. (*Calendar of Patent Rolls, Ireland*, Vol. i., p. 228-9.) It set forth how suitable a place Newry was for the service of the King, and how necessary to plant there a "Captain with furniture of men for the reduction to better obedience of that rude and savage district." The Marshal had already resided some time in Newry amongst the Irish inhabitants, and had been at great costs and charges in that respect. The Privy Council therefore thought that in all likelihood the Marshal's continued residence there would conduce to the "civilitie" of the natives and their obedience to the King. Much of the abbey lands had become waste or lapsed into the hands of the Irish, and it was desirable to place them in better hands. Accordingly, Sir Nicholas was first given a lease for twenty-one years, and subsequently a grant of practically the town of Newry and the lands surrounding it, the fisheries, customs and tolls of the market, all that in fact belonged to the Abbey of Newry. Besides these valuable properties and other rights and lands, he was granted the Lordship of Mourne, which extended for ten miles in length and two in breadth. Some of this land is now in the hands of Lord Kilmorey, who is a lineal descendant of Sir Nicholas by his grand-daughter. The grant was held by the service of the fourth part of a knight's fee, and was dated 1552 (*Cal. of Pat. Rolls, Ireland*, Elizabeth, vol. ii., p. 154).

There is also in the Acts of the Privy Council the following, which shows the grant was not made without conditions:—"1552. 29 March 1552, at Westminster. A letter to the Chancellors, the Augmentacions, to make out a booke in dewe form of the King Majesty's Government of certain landes in Ireland to Sir Nicholas Bagenal, Knight, in fee-simple in consideration as well that he hath the same allready in lease from his Highness as for that allso certain of the same hath and yet still doth remaine waste and without manuring, taking a recognisance of iiii^o li (£451) of the said Mr. Bagnall in case any suche uncertaintie shall be found by the said Chancellour as whereby the value of the said lands shall not fully appere, that then he shall stand to such order for the same as at any time within ii years hereafter upon more full declaration thereof from His Majesties Counsell in Ireland shall be thought requisite."

Some further facts as to the foundation of his fortunes at Newry are given by his son Sir Henry Bagenal in a description of Ulster which he wrote in 1586. He says:—"The County of Down contains the Lordship of Newry and the Lordship

of Mourne, the inheritance of Sir N. Bagenal, who at his coming thither found them altogether waste, and Shane O'Neill dwelling within a mile to the Newry at a place called Fedom, suffering no subject to travel from Dundalk northward. But since the fortifications and buildings made thereby by the said Sir N. Bagenal all the passages are made free and much of the countries next adjacent reduced to reasonable civility. Evagh is governed by Sir Hugh McEnys, the civilest of all the Irish in those parts. He was brought by Sir N. Bagenal from the bonaghe¹ of the O'Neills to contribute to the Queen. In this place only amongst the Irish of Ulster is the rude custom of tanistship put away. McEnys is able to make 60 horsemen and 80 footmen. Every festival day he wears English garments. The Captain of Kilnltloe is Cormack McNeil, who likewise was brought by Sir N. Bagenal from the bonaghe of the O'Neills."

It is evident from these extracts that Sir Nicholas was recognised by the Sovereign as a pioneer of English rule in Ireland, an outpost of the coming army of conquest. It is clear that he had considerable influence among the native chiefs as well as in the Court and Camp at Dublin.

Throughout the reign of Edward VI. Sir Nicholas was busily engaged in Ulster. Shane O'Neill was beginning that troublesome career which made him a thorn in the side of England for so many years. Sir James Croft, the Viceroy in 1551, knighted the Marshal and sent him on a raid into Tyrone, of which the latter sent an account to the Council in Dublin. It would seem that O'Neill made little resistance, retiring into the woods. He afterwards came in on parole to make a truce. It is noteworthy that at this time Sir Nicholas was acting in concert with Matthew, Baron of Dungannon, with whom he had been joined in commission for the purpose of re-establishing order in Tyrone. At this time there was a family quarrel amongst the O'Neills. The first Earl of Tyrone, known as Conn *Bacach* (The Lame) had a legitimate son, Shane, already mentioned. But he had been cut out of the direct descent in favour of an elder illegitimate son, Matthew, who was made the tail-male successor to the Earldom, and by patent created Baron Dungannon. The arrangement was made by Elizabeth entirely in the English interest, so as to create divisions amongst the Clan O'Neill; and it was largely the origin of the internecine conflict in the family which lasted till the end of the century. It was this Matthew's son, Hugh O'Neill, who subsequently became the celebrated Earl of Tyrone, and who was destined to marry Sir Nicholas' youngest daughter.

Sir Nicholas' letters to Sir James Croft, the Viceroy in the same year, give details of a successful expedition against the Antrim O'Neills, who had been assisted by some mercenaries. At this period the Baron of Dungannon was looked upon as on the side of the English. Croft in one of his letters to London recommends that pending the appointment of a new Archbishop of Armagh the *locum*

¹ *Buannadha*—i.e., retained soldiers. Originally the tax imposed by a chief for the support of his mercenaries.

tenens should live at Armagh, where "he would be most useful to Bagenal and the Baron of Dungannon."

Nicholas had to fight hard for the preservation of his new estate. All the native chiefs were against him, and he was in a continual state of private war with his neighbours at Newry, especially O'Neill of Clanaboy, as well as in general combat with the Tyrone O'Neills and the Scots on behalf of the Government. Not the least part of his work was in making Newry a stronghold for the English. From its position near the sea, it had always been a place of consequence; and landward it was a principal pass leading through the bogs and mountains between Dundalk and the North. The Marshal probably lived at first in the Abbot's house, which was situated in Castle Street; part of the building existed in the beginning of the 19th century. He subsequently built a castle called Greencastle, and it was here he brought his Welsh wife and raised a large family, most of whose descendants intermarried with leading Anglo-Irish families, and became entangled in the Irish Civil Wars of the 17th century.*

Queen Mary came to the Throne in 1553. It has already been narrated how the Marshal's elder brother, Sir Ralph Bagenal, took a very bold stand in the English Parliament against the Pope's supremacy and suffered from it in purse and person. The religious opinions of the Marshal do not appear to have been so advanced. Like most officials of the Tudor times he probably adopted the particular form of religion which the reigning King or Queen professed. As a matter of history there was not much trouble in Ireland in these earlier days on the score of religious principles. The Reformation had touched the property of the Church, but not the religion of the people. Even when Mary became Queen there was no disturbance. The supremacy of the Sovereign was not touched, nor was even the property of the confiscated monasteries restored; had it been, Sir Nicholas would have lost his recently-acquired abbey lands in Newry. As it was he lost his post of Marshal. Sir George Stanley superseded him, and there is evidence that Nicholas shared some of the suspicion which had been incurred so openly by his brother. The following letter in the Acts of the Privy Council, dated 19 April, 1555, indicates this:—

"A letter to the Deputy of Ireland, the Lord Chancellor there, Sir W. Fitzwilliam, Sir E. Rouse, and the rest of the Counsayll there, that whereas Sir N. and Sir R. Bagnall are commanded to repair with the realm to make perfect all reconnynges concerning themselves and their late retynues, they fearing so to do without some protection of their persons from any private malice, the said Deputy and the rest are requested to see them indifferently handled according to justice,

*Mr. Goddard Orpen, author of *Ireland Under the Normans*, informs me that some years ago he visited, on the road from Dundalk to Greenore, an ancient mote known locally as Mount Bagenal. He is of opinion that it is a clear example of an Anglo-Norman mote and probably the earliest site in the district which was given to Hugh de Lacy with his first wife, Lasceline de Verdun. Sir Nicholas probably included it in his fortifications and raised on it a watch tower, and thus his name survived in connexion with it.

and that they may quietly tarry there without private displeasure, and also the said Sir W. FitzWilliam and Sir Ed. Rouse are required to join with Justice Bathe and to examine their cause and in case they shall find matter to charge them with, then to take sufficient sureties of them to answer the law and to signify their doings herein, or otherwise so to declare them."

Sir Ralph repaired to France instead of Ireland; but Sir Nicholas who had probably in Mary's accession gone immediately to London, seems to have settled first suspicious by entering with substantial recognizances for his future loyalty to the new Queen. In the following year the following minute appears in the Acts of the Privy Council:—

"Nicholas Bagnoli de Stoke supra Trent in comitatu Stafford, miles, recognovit se detere serempeniis dominis regi et regno mille libras.

"The condition of this recognizance is such that if the above bounden Sir Nicholas Bagnoll (*sic*) Kt after his arrival in the realm of Ireland do from time to time upon ten days' warning not only exhibit and present himself so long as he remaineth there until the Lord Fitzwaters, now Deputy of that realm, but also give his continual attendance upon him during the time he shall commande him so to do, and being on this side and seas here within the realm do likewise from time to time give the like attendance upon the Lords of the Privy Council having the like admonition of ten days' warning from their Lordships thereunto that then this present obligation to be void and of none effect, or else to stand and abide in his full force and virtue. S. James. 7 May, 1556."

Sir Nicholas must have kept up his connection with Staffordshire during Elizabeth's reign, for he was returned a member for Stoke-upon-Trent in 1558. When his brother Sir Ralph Bagenal was obliged to fly the country in Queen Mary's reign, he assigned his property in Staffordshire to Sir Nicholas, which no doubt accounts for his being elected Knight of the Shire.

When Queen Elizabeth came to the Throne in 1559, Sir Nicholas, contrary to his hopes, was not at first restored to his old post of Marshal, in which Sir George Stanley was continued. The ex-Marshal had to be content with a mere Captaincy. The ill-success of Stanley's military and political career under the Viceroyalty of the Earl of Sussex for the next five years may have consoled him. It certainly was very pronounced. Shane O'Neill became more and more rebellious and refractory, and the failure of Sussex to conquer Ulster or to keep the rest of Ireland quiet at last ended in his recall. He was succeeded by Sir Henry Sidney, under whom Sir Nicholas had served in a former Viceroyalty. Sidney was a friend of the Earl of Leicester, who had always been a patron of Bagenal, so together with the recommendation of the Lord Justice, Sir N. Arnold, it is not surprising to find the Queen reappointing him to the office of Marshal.

This change for the better was badly wanted, for it would seem as though things had not been going well with the Knight Marshal in Newry. His Irish neighbours close by, the Maginnis and the O'Neills, little liked his power and property which affected them nearly. After his marriage he, perhaps, wished himself back in

Wales, where he could settle more comfortably on his wife's estates. At all events a letter from Dublin was received by Cecil, dated the 23rd April, 1562, in which Sir Nicholas complains that "Shane O'Neill's followers have greatly spoiled his lands and tenants. When he had office and credit his lands were worth more than £10 per acre, and now they are altogether wasted. He desired to part with them to the Queen in exchange for lands in England."

For the next six years, 1565-1571, Sir Nicholas served under Sir Henry Sidney in his long and unrelenting campaigns against Shane O'Neill, who was finally killed by the Scots in 1567. Sidney then turned his attention to Munster, which he overran with comparative ease, marching from Clonmel to Cork and Limerick. Before he resigned his post he had travelled nearly every part of the country, and had restored the sovereignty of England to something like a reality. In one of his letters to Cecil in 1569, deploring the trials and pains of a Viceroy and the lack of men of mark he says: "I have not a man of the Council of any action or effect but Cusack and Bagenal."

No doubt Sir Nicholas had suffered severely in pocket by the loss of his post as Marshal for so many years. He was in embarrassed circumstances, and to this fact may be attributed his curious connection with the notorious Thomas Stukely. The strange adventures of this Devonshire gentleman were in everybody's mouth in court and camp at this time. He posed as an empire builder and colonist. He was in reality a spendthrift, a rogue, and a pirate. He had all the audacious characteristics without any of the success of the Elizabethan sea-rovers. He imposed upon everybody at home and abroad except Elizabeth, whose instincts detected the traitorous braggart and gilded villain. Stukely came to Ireland, where in spite of being caught redhanded in piracy he captivated both the Lord Justice Arnold and Shane O'Neill, who used him as a go-between in his relations with Dublin Castle. Amongst other feats that he attempted was to become Marshal of the Queen's army in Ireland. Finding Sir Nicholas in low water and discontented with his prospects, he persuaded him to sell him his office of Marshal and his lands in Ireland for £3,000. Sidney was inclined to sanction the bargain, no doubt desiring to help his friend the Marshal. But in England there was great opposition from Cecil, and the Queen, who had seen through the adventurer's character, railed at him in good set terms, would not hear of the appointment, and ordered him home to answer the charges of piracy made against him in the Admiralty Court. Stukely, it is needless to say, would not face the lioness, and went to Spain and offered his services to Philip, who used him as one of his instruments against England. After an extraordinary career, Stukely ended his life on the battlefield in a raid in Morocco.

In 1576 the noblemen and gentry of the Pale began to agitate against the Cesse, claiming that it was illegal, and that they should be discharged from its imposition. Holinshed* gives the following account of an episode arising out of the agitation:—"Cesse was a prerogative of the prince to impose upon the country a

* *Holinshed's Chronicles*, vol. vi.

certain proportion of all kind of vittels for men and horse, to be delivered at a reasonable price called the Queen's price, to all and every such soldiers as she is contented to be at charge with all, and so much as is thought competent for the Lord Deputy's house; and which price is to be yearly rated and assessed by the Lord Deputy and the Council with the assistance and assent of the nobility of the country, at such rates and prices as the souldiers may live of his wages and the said Deputy of his entertainment." Holinshed goes on to say:—"The Viscount Baltinglass of the chief impugnors and malcontents against the Cesse wrote his letters to the Earl of Ormonde, then attendant at the Court of England, and complaineth of great injuries and spoils to the value of £200 in monie, besides numbers of sheep and kine done upon him and his tenants by the English soldiers under Sir N. Bagenal Kt. Marshall, when they were lodged one night in his house at Baltinglass in the time that they served upon the rebel Rory Oge."

These letters were submitted to the Queen, and Sir N. Bagenal was called upon to answer such "hurts" as were objected against him. Sir Luke Dillion and Sir Thomas Fitzwilliam were appointed a Commission to examine into the matter. The result was that Sir N. Bagenal was acquitted of any responsibility for the damages done, having "given great charge to every Captain to forsee that no aggrevate his grief conceived against the imposition of the Cesse than for any soldier or other person without present payment, protesting and proclaiming execution according to Martial Law upon such as should do the contrarie."

The Lords of the Council considered the question very fully, and came to the conclusion that "the surmises (of the Lord Baltinglass) were made rather to aggrevate his grief conceived against the imposition of the Cesse than for any good matter in truth."

The following letter from the Privy Council in London, 1576, gives the best evidence of the influence wielded by Sir Nicholas with the Irish Chiefs in Ulster:—

"A letter to Tirloughe Lenoughe that whereas their Lordships are informed by Sir Nicholas Bagenal Knight Marshall of Ireland that whatsoever hath passed heretofore he is now very well inclined and affected to obedience and dutie towards her Majestie for the which as their Lordships are very glad and do wish the continuance thereof, so they have thought good first to let him understand how much he is beholding with the same Sir Nicholas Bagenal for the good report he hath made of him here and to signifie unto him that if he shall perform the duty as a good and faithful subject unto Her Majesty according to the said good report and their Lordships expectations thereupon had of him they shall be readie by all good offices not only to continue Her Majestie's good opinion presently conceived but also by all other good means to augment her Highness favour and good liking of him. And as the said Sir Nicholas Bagenal hath friended him here by such good speeches as he hath delivered both unto Her Majesty and unto their Lordships in his behalf so shall he do well to follow his advice and direction concerning his demeanure and duty towards Her Majestie's deputy there, whom he is to obey in

all matters touching Her Majesty service." (*Acts of the Privy Council*, 3 Feb., 1576).

The admirable state of the Bagenal property is reported by Sir Henry Sidney, who visited Newry in November 1575, in his progress through Ulster. "I found," he writes, "such good policy and order in the country where the Marshal dwelleth, his lands so well manured, his tenants so well cherished and maintained, the town so well planted with inhabitants, and increased in beauty and building as he is much to be commended as well that he useth his tenants to live so wealthily under him, and his own bounty, and large hospitality and housekeeping, so able and willing to give entertainment to so many and chiefly to all those that have occasion to travel to and fro northwards, his house lying in the open highway to their passage."¹ (*Collins Sidney Papers*, vol. i., 75, where are other references.)

From the day of his first appointment as Marshal Nicholas seems to have been the one indispensable man to the Government of the country in the affairs of Ireland. Viceroys came and went, but the Knight Marshal remained always in office, the trusted servant of every Tudor Sovereign until his death.

His experience in the Irish frontier fighting of the day was no doubt unrivalled, and his knowledge of and acquaintance with the various septs and chiefs of the native Irish and of their language, must have been invaluable to the Council in London. With Burleigh and Sir Robert Cecil he was in regular communication, and in the *State Papers* are to be found frequent mention of his visits to England when detailed information was required in difficult crises.

With the various Deputies under whom he served he was on intimate terms, but especially with Sir Henry Sidney. In 1578, when Sir Henry was deeply engaged in dealing with "the insolency of the rebels, the O'Moores and O'Connors on the borders of the King's Co.," he was obliged to leave the country. He at once sent for Sir Nicholas "to take charge of the service in my absence for the prosecution of the rebel, making him my lieutenant of Leinster and Meath."

A letter from Sir Nicholas to Lord Leicester is interesting for its picture of Ulster in 1566 and an accurate diagnosis of Shane O'Neill's character. He says he never "knew the country so out of order. Robbing, stealing, and killing went on throughout the English Pale. The countries of the Walshes, Byrnes, and Toolles, within four miles of Dublin were robbing each other. Shane O'Neill had now all the countries from Sligo to Carrickfergus, and from thence to Carlingford, and from Carlingford to Drogheda. The Deputy had done all he could to bring Shane to quietness. But in the Marshal's opinion Shane would never come to any Governor, for "he-has won all by the sword and so will keep it."

Nor was it alone the O'Neills country that was so wild and lawless. East

¹In this progress Sir H. Sidney was accompanied by the Marshall, the Barons of Louth and Dungannon, Sir E. Fitton, Sir L. Dillon, The Chief Baron, John Chaloner, Secretary, and Jaques Wingfield. The military escort which accompanied the Viceroy on this occasion consisted of "400 footmen and 200 horse of the Forces of Her Majesty's army."

Breny, the modern Cavan, Sir Nicholas once described as "a territory where never writ was current"; which it was "almost sacrilege to look into."

The best testimony to the value of Sir Nicholas' service to the State is the letter which he bore to London in 1576 from Sir Henry Sidney. It set out the good cause the Privy Council had to "like well of him," and "with what great dexterity, care and good endeavour" he had executed their commands. Besides being a "great stay" in Newry he was also praised for being "a bountiful housekeeper and a ready willing host."¹ They also recognised his enlargement of the town and the bestowal of his substance in building. In short the Council found that such a "necessary councillor and servant" could not long be spared from Ireland, and they begged the London Privy Council to grant him his particular suits and dispatch him back as speedily as possible.

In connection with the Marshal's enlargement of the town of Newry it is proper here to mention the offer which he and his son Henry made to Queen Elizabeth "for making a walled town in Ulster." In 1586 they undertook within seven years to build a wall of a mile or more in compass about the town of Newry. The wall was to be 16 foot high beside the battlement and 5 foot in thickness, with towers, gates and flankers. The estimated cost was £5,000. They also offered to erect a schoolhouse "where all the youth of the Province may be educated in civilitie and learning," and endow the school with the tithes of a lordship and provide a preacher to "plant religion." In return the Marshal and his son asked for the assignment to them of the beeves and other impositions laid by the Government upon the McEnnis' and McMahan' septs who lived near by. They also bargained to have the same position and power in Ulster as Sir R. Bingham had in Connaught, and that there should always be a garrison of 100 soldiers in Newry paid by the Government. The proposal was not entertained by the Council in London. Had it been carried out the walled town of Newry would have anticipated Londonderry by a generation.²

Next year Sir Henry was summoned to London. In writing to the Privy Council he says he had summoned Sir Nicholas to take charge of the Service in his absence for the prosecution of the rebels, making him Lieutenant of Leinster and Munster.

Writing again in April, 1578, giving a survey of the general situation in Ireland, he says of Ulster: "Amongst your Majesty's servants the best instrument for the border is the Marshall, Sir Nicholas Bagenal, who till of late, that I your Deputy employed him in your service in Leinster, where he hath done your Majesty's good and very acceptable service, did remain upon his own lands, and was the only countenance of the Northern border."

¹ The English Privy Council asked the Marshal to lend his house at Newry to the Earl of Essex for the winter. "Thearle contenting him and his tenants for all things that he shall take."

² See Ordnance Survey Correspondence for Co. Down, R. I. Academy.

Once again in 1580 Sir Henry in a letter to Lord Grey, his successor from London, he recommends several men to his especial consideration. After mentioning the Baron of Upper Ossory, Sir Lucas Dillon, Sir Nicholas Malby, and Sir Harry Harrington, he says:—"It is not for lack of love that I place not aright your Marshall there Sir N. Bagenal, whom I have ever found a faithful constant friend and serviceable and most fast and assured to that family where-with I am matched and with which your Lordship is allied. His son my Godson and Knight (Sir Henry Bagenal) I recommend unto your Lordship."

It is interesting also to find that Sir Philip Sidney, the celebrated son of Sir Henry had a word for the old Marshal. Writing from the Court at London on 28th April, 1578, to Edward Waterhouse, Secretary of Ireland, he winds up as follows:—"Commend me to my Lord President, to the noble Sir Nicholas (Malby) whom I bear special good will to; to my cousin Harry Harrington whom I long to see in health; Sir Nicholas Bagenal; Mr. Agarde's daughter, my cousin Spikeman for your sake, and whosoever is Mayor of Dublin for my sake."

There is a curious allusion to Sir Nicholas in the *Sidney Papers*, which illustrates his influence in the appointment of the day. Writing to the Viceroy upon the necessity of his coming to London, Sir Henry Ratcliffe says:—"I assuredly perceive that till your own coming and purgation things will not be perfectly sound for though the depth of suspicion may be removed, yet all jealousy is not put away; and though the wound doth seem to be cured, yet I am feared the scar doth remain which not thoroughly healed may perhaps break out hereafter."

Then comes as a postscript:—"My lady of Hunsdon did require me to write unto your Lordship that she did not see her husband or sons should be regarded here if they were not considered there. Here be askers enough, and as I think nothing worth the having unrequired, I remember the saying used to Mr. Bagnoll in the North of Ireland 'keep for me, Nicholas.' "

The meaning is not very clear, but it probably indicates that the Marshal had opportunities to serve his friends, and that he was not to give away everything without considering them in advance.

In 1585 Queen Elizabeth summoned through her Viceroy, Sir John Perrott, a Parliament in Ireland. It consisted of 26 Spiritual Lords, 26 Temporal Lords, 54 Knights of the Shire. Four cities were represented by 8 members, and 32 boroughs by 64 members. In the Parliament Sir Nicholas, together with Sir Hugh McGennis*, were Knights of the Shire for the County Down.

On the death of Shane O'Neill in 1567 an act of attainder was passed and the country of Tyrone was declared forfeit. Tirlough Leinagh O'Neill, Shane's nephew, who by the law of Tanistry had been elected by the tribe to the headship, was permitted by Elizabeth to occupy this position.

A Commission was formed in 1570 with instructions for "a parle to be had with Tirilough Lenagh (as the document ran) at Newry to make some peaceful settlement. The Privy Council in Dublin "for the great trust and confidence

*The Irish sept from which descend the present Lord Iveagh and the late Lord Ardilaun.

that we repose in the wisdom discretion and assured fidelity of you Sir Nicholas Bagenal Marshall of Her Majesty's army within this realm of Ireland, Sir Thomas Cusack, knight, one of Her Majesty's privy Council, Sir James Dowdall, 2nd justice of Her Majesty's bench, Terence Daniel, Clerk, dean of Armagh, and Sir John Bedlo, Knight," appointed these persons "to meet, treat and talk" with Tirlough, giving them full power to hear and determine all causes in controversy, and order restitution and amends to all parties aggrieved. The private instructions to the Commission are too lengthy to give here, but they are an excellent example of the Tudor diplomacy, ending as follows:—"Finally if you find him conformable embrace it at your discretions, if not get as long a time of truce as you can and return in peace."

The new O'Neill submitted, but in a letter to Lord Leicester Sir Nicholas discounts his submission by saying "this peace can be of no better assurance than other ratifications have been." In fact to keep the peace the Marshal had been retained in Newry instead of accompanying the Viceroy, Sir William Pelham, to Munster on his raid against John Desmond. Sir William seems to have appreciated Sir Nicholas, for the latter says:—"For your Honour's sake he so friendly entreated me that I cannot but beseech your Lordships to give thanks on my behalf for his said courtesy, but also to crave humbly that your Honour will not forget but to commend me to the Lord Deputy to be protected with his best favour for your sake."¹ There is the true Tudor touch in this appeal for court influence. Sir Nicholas evidently knew by experience that a man who grants one favour will generally grant another.

Tirlough Leinagh however did not trouble the Dublin Privy Council much longer. He was then advanced in years, and died shortly after the successful "parle." Thenceforward Hugh O'Neill, 2nd Earl of Tyrone, fills the canvass of Ulster, proving himself the last and most dangerous enemy of the English rule in Ireland.

At the close of his long career in Ireland Sir Nicholas became embroiled with Sir John Perrott, the Queen's Deputy, one of the most remarkable personages of the day, but a man of ungovernable temper. Sir J. Perrott bore so remarkable a resemblance to Henry VIII. that together with his character, temperament and person, it was a common belief at Court that he was the King's natural son.

In a book published in 1626 entitled "Sir John Perrott on the Government of Ireland," there is to be found some information concerning that Deputy's connection and intercourse with Sir Nicholas. In 1584 Sir John paid an important state visit to the North. He was accompanied by Sir H. Wallop, the Provost Marshall, 10 Captains, the Knight Marshal and his two sons Henry and Dudley Bagenal, Sir R. Dillon, Sir N. White and Mr. Fenton, Secretary of State. The object of the Deputy, according to a contemporary writer, was to deal with "heart burnings bred by question of superiority and government between Tirlogh Lynaght called O'Neill, the Baron of Dungannon, and Sir Nicholas Bagenal who did over-

¹ *Sidney Papers*.

look them both and therefrom as much envied of them as they did malign one another. The Deputy took care to appease, tho it be difficult to reconcile grudges growing from dominion and government. He divided the greater governments into smaller ones that no one should be too strong for another, and yet each should have sufficient, if not to satisfy himself, yet to balance the overgrowing greatness of his neighbour. The Deputy therefore divided the Province into 3 lieutenancies. One he assigned to Tirlogh Lynagh as much as was already under his rule. The other two he parted between the Baron of Dungannon and Sir N. Bagenal."

This decision probably satisfied neither of the parties and may have been the beginning of the friction which assumed such serious proportions later on between the Deputy and the Marshal. It was certainly increased by the action of Sir John Perrott, who wished to convert the living of St. Patricks to the maintenance of the University of Dublin that had been founded by the Queen. This was vigorously opposed by the Lord Chancellor Adam Loftus, Archbishop of Armagh, who stood out for the rights of the Church. He "also took to heart the peremptry proceedings of the Deputy, as well in other matters of state as in this. Finding himself slighted of that regard some preceding Governors had yielded him he fell into contention with the Deputy and raised a faction against him of some of the Council (as Sir Henry Bagenal who had married his sister to the Archbishop's eldest son) and others, so that from hence sprang not only private informations but public crossings at the Council table. Such is the State of Ambition as it never sees any way but by the way of the stairs of its own climbing." The peremptory proceedings of Sir John Perrott were proverbial both in Dublin and London, and it is not surprising that masterful men like Loftus and Nicholas Bagenal should find themselves at variance with him. There were factions in the Privy Council and bitter quarrels and recriminations, in which the Chancellor Loftus and the Marshal generally opposed the Deputy. Things at last grew so bad that a personal collision took place between Perrott and the Marshal. A curious and interesting account of this incident is given by Sir N. White, the Master of the Rolls, in a letter to Lord Burghley (see *Calendar of State Papers, Ireland*, 1586-1588. pp. 360-361.)

The Lord Deputy was lodging at the time at St. Mary Abbey on the left bank of the Liffey opposite the Castle. It would appear that a dispute had arisen between the Marshal and the Deputy concerning one Patrick Cullan, who had taken a letter of complaint against the Deputy from Turlough O'Neill to Queen Elizabeth. The Deputy sent for four of the Privy Council, including Sir N. White, to examine Cullan at his lodgings. The Councillors came, but evidently did not like the job, and suggested to the Deputy that to allay any suspicion it would be better to examine the matter in the Council Chamber. Meanwhile, Sir Nicholas Bagenal had got wind of the business, and came across the river to the Deputy's lodgings. When his arrival was announced the Deputy sent word:—"Let him stay awhile and I will speak with him." The Marshal, however,

immediately entered the Chamber and a warm colloquy ensued. The Marshal said that the Deputy should not be present at the examination, and declared he "mis-trusted there would be false measure used." Perrott was an exceedingly choleric man, and repelled the accusation by a defiance. The Marshal answered with equal heat and defiance. The Deputy then rose and went towards the Marshal and "had some claspings" with him, at the same time saying if any other man had defied him he should hang him. Sir Nicholas greatly enraged raised his staff, when the other Privy Councillors intervened, there was a struggle and the Marshal fell down. On rising recriminations were renewed and each of the principals gave the other the lie. The Deputy called the Marshal a dotard, winding up with "a man would think you were drunk." "Nay you are drunk," quoth the Marshal, and so the unedifying affair ended.

A man of Sir Nicholas' temperament was not likely to sit down under this attack of Sir John Perrott, Lord Deputy though he was, and accordingly he immediately indited a letter to his old friend Lord Leicester. The Marshal said the dispute was occasioned thro' some hard dealings of the Lord Deputy towards his son Sir Henry Bagenal. He described the Deputy as entering into most outrageous fury and "forgetting both his own place and my old years, not contented to have used me with unworthy and barbarous terms, laid violent hands upon me; he arose from the place where he sat, struck me with his hand, and beat me down to the ground; and had not Mr. Justice Gardener and Mr. Secretary Fenton been there present God knoweth how it had further fared with me. Oh! That I live to endure this wrong, and that his place doth free him from my revenge. Tho' I am nearly fourscore years of age, yet I protest in the presence of the living God and as I look for salvation by the shedding of the blood of Christ Jesus, that neither loss of goods, lands, or life, but only and solely the regard of Her Highness' honour, which I hold more dear than life itself, doth contain me, but that I would take due revenge in his blood for this villainy, though it were to my own overthrow, and the utter ruin and destruction of my whole posterity. I therefore crave at Her Majesty's gracious hands and your Honours' of Her Council that my poor credit may not thus be defaced without due and convenient revenge. Dublin, 16th May, 1587."¹

It would be impossible for any contemporary to have better described the Marshal's character than does this letter. All the old man's impetuosity, rage and desire to give blow for blow are written in every line of it. There is something terrible in the violence of his imprecations and the eagerness to sacrifice everything for the gratification of wiping out the insult which had been placed upon him. How the affair was composed is not related. But Perrott shortly afterwards was recalled to England in disgrace, and died on the scaffold. Whoever mourned his fate we may be sure the Marshal was not amongst the number.

At last the old Marshal grew so infirm that he could neither walk nor ride, and so three years after the broil he sealed and delivered his resignation into the hands

¹ *Cal. State Papers. Carew Papers.*

of Sir Partick Barnewall (his son-in-law) in the 32nd year of the reign of the Queen. Her Majesty graciously accepted the resignation, making it clear that the Marshal resigned only on account of age and infirmity, though not of mind or body, and had become unable to execute his office according to his own desire. She appointed his son, Sir Henry, to the office and also to the office of the Privy Council. (August 25, 1590.)

Sir Nicholas died early in February, 1590, at Greencastle, Newry and was buried in the Church which he had built.* The funeral must have been an impressive spectacle. There is extant a contemporary record of it in the Office of Arms in Dublin Castle, in which it is stated that between four and five thousand people were present. The chief mourners were the Lord of Louth, Mr. Christopher Plunket, Mr. Dudley Loftus, son of Lord Chancellor Loftus, Sir Patrick Barnewall, all sons-in-law of the Marshal, Sir John Belew, Bart., and The Lord Savadge. The Church was represented by the Dean of Armagh. The Bailiffs and Corporations of Dundalk and Carlingford and the Seneschal of Wexford represented the Municipalities; and the Military Power was present in large numbers. Owners of property friends of the Marshal not only attended themselves but were evidently accompanied by their tenants. But the most significant names in the list of people present are undoubtedly those of the numerous native Irish chieftains who followed the old soldier to his grave. Three generations had known him by report or by personal contact. He had been a hard fighter and a masterful man in old days, but it is clear that his name and fame was held in respectful memory by the native stock, for Irishmen love a strong man always. The O'Neills were present in force and so were his neighbours, the Magenises, the O'Hanloms, the MacBryans; the McCartans, the MacDonelis and many others. It would take the pen of Sir Walter Scott adequately to realize and depict the scene at the funeral of the war-worn veteran of County Down. His name and arms are to be seen to-day graven in stone on the Church tower at Newry which he built†. The following is the document now at the Office of Arms in Dublin giving the names of those who saw the last of Sir Nicholas Bagenal.

* The tradition given in the *Annals of the Four Masters* is that St. Patrick visited the place where Newry now stands and that he planted one or two yew trees there, close to which it is said a monastery in the early days of the Church in Ireland. The name Newry is said by some writers to be derived from the Irish word for yew trees. The full name of Tubharcentragha or the yew trees at the head of the Strand was shortened to Jubhar which by prefixing the article an (N) and by adding Y for Euphony became Newry, or as it was frequently called locally "The Newries." In 1157 a Cistercian Abbey was founded in Newry by King Murchtach MacLochlain, the first having been founded at Mellifont by Donough McCorvoill Prince of Uriel in Co. Meath for Cistercian monks sent over by St. Bernard from the Abbey of Clairvaux. Owing to its proximity to the hill pass Newry was always considered most important, as it secured the only road between Leinster and Ulster. There is access to Carlingford Bay by the river formerly known as the Clanrye.

† Erected by his lineal descendant, the 3rd Earl of Kilmorey, and replaced in the present Church Tower at Newry.

The names are given with the old spelling :—The vijth of feb. 1590 these were present at the enterment of the right worshipfull Sr. Nicolas Bagnale Kt. Knight Marshall of Ireland at Newrey. Ye L. of Louth, Sr John Bedlew Kt., Sr Patricke Barnewall, The L. Savadge, Mr Christo : Plunket of Dnsougte, Mr Dudley Loftus esq., Mr Captain Hen (illegible) of Clandeboy, Mr. Wood deane of Ardmaghe, Mr Roger Gernō of Gernōston esq., Mr Hadser of Keppecke esq., Mr Clyntō of ye Water, Mr Mastersō Seneshall of Wexford, Mr. Christo : Bedlow esq., Mr Tath of Allarston, Mr Dowdall of Couley, Captaine Keyes, Captaine Bangor, Captaine Betsell, Captaine Willoustō, Captaine Brierton, Mr. Tath of Acclare, The Balives & Corporation of Dundalk, The Balives & Corporation of Carlingford, Mr Clinton of Dromcasshell, Ensigne Dalocuory, Moyses Hille provost Marshall of ye forces of Clandeboy & Carackefergus, Mr Russell of Lacaell with all the fre holders of that cotrey,* Sr Hughe Magenes Lord of Ivache, Sr Ochie OHanlone, Lord of Archure, Neill Mccbreine feir Sache ye L. of up Clanibuy, Sanie Mccbreine the L. of ye Loisle Clanibuy, Cormicke MccNeill the L. of Kilultagh, Thorilache Bresslache ye L. of A cōtrye, Henrie oge MccHenrie MccSaine the L. of a Cōtry, Thorilache Bresslache ye L. of A Cōtrye, Mace Dowell le Lord of the Galliglasses, Mace Carttane a Lord of a Cōutrye, Tuill O'Neill the Lord of Slete MccIneille, Edmonde Buye a Captayne of a Cōtrye, Ever Mcc Rorie the Captayne of Kiluarline, Clessne Mccachulie ye Captayne of a Cotrye, Phelomie Mcc gines ye Captayne of a Cōtrye, Ever buye Mccdonelle the Captayne of a Cōtrye, Sanie oge O Hanlone the Captayne of a Cōtrye, Owe O Neill the Captayne of A Cōtrye, Oliver McSeneshall of ye little ardes, Gynkyn boy Savadg of ye same, Redmond oge Albanagh. There was by estimation about a iiii or V. m where of there was nine C and od prs served with (illegible).

For fifty years Sir Nicholas had been the military right-hand of the Irish Privy Council in the North. His knowledge of the native chiefs and of the country must have been wide and varied. He was continually in Dublin, and his name appears very frequently signing orders and attending the meetings of the Privy Council which were held in various towns. All the accounts of the man show him to have been of an eager, quick, impetuous temperament, with a strong masterful mind, and by no means guileless. His life began with a brawl in a tavern with some "light persons," and nearly the last thing we hear of him is that he was "embroiled" almost to blows with Sir John Perrott.

Sir Nicholas married, in 1556, Eleanor, third daughter and co-heiress of Sir Edward Griffith, of Penrhyn, North Wales, whose father was Chamberlain of North Wales, and lineally descended from Ednyfed Vychan. In right of his wife Nicholas became seated at Plas Newydd, near Bangor, and owner of considerable estates in Wales, which descended through one of his grand-daughters to the present Marquis of Anglesey. He had a large family, of whom two sons and six daughters survived and married. The story of his sons and their issue will be told separately with their adventures and fates in which tragedy and

* i.e., country.

romance are curiously mingled.

Sir Nicholas' position as Privy Councillor and Marshal of the Army secured good matrimonial alliances for his six daughters, who, with one exception married into Anglo-Catholic families of old descent. These inter-marriages ultimately profoundly affected Sir Nicholas' descendants for several generations in politics, person and property as will be seen. Unlike his elder brother, Sir Ralph, he was not an ardent Protestant and was no doubt content to see his daughters well matched with men of good name and property, men of English descent who had held to the old religion. His daughters married and had issue as follows:—

FRANCES BAGENAL, 6th child and eldest daughter, married, as his first wife, Oliver Plunket, fourth Lord Louth, who was present in Sir John Perrott's Parliament held at Dublin, 26th April, 1585, and with the Plunkets of Ardee his Lordship brought six archers on horseback to the general hosting at the Hill of Tara, 24th September, 1593, when he was appointed to have the leading of the Shire of Louth. His lordship died 5th March, 1607 (having married secondly Genet, daughter of Patrick Dowdall, of Termanifeckan, Co. Louth, and widow of John Bath, Justice of Common Pleas, but she died childless on 3rd July, 1617) having had by Frances Bagenal three sons and five daughters:—

- (1) Matthew Plunket, fifth Lord Louth.
- (2) Luke Plunket.
- (3) Sylvester Plunket, married a daughter of Brereton of Malpas, Cheshire, and died childless.
- (4) Margaret Plunket, married Sir Thomas Fitzwilliam, created Viscount Fitzwilliam of Meryon.
- (5) Mary Plunket, married Henry Draycott, of Normanton, Co. Meath, and had five sons.
- (6) Eleanor Plunket, married Richard, son of George Gernon of Stabannon, Co. Louth, and died there 25th April, 1634.
- (7) Ann Plunket, married Christopher Cusack of Rathaldron, Co. Meath, Esq., and died 9th January, 1617.
- (8) Ismy Plunket, married Richard Barnewall, of Lispople, and died 27th May, 1639.

ANNE BAGENAL, married Sir Dudley Loftus of Rathfarnham, Knt., eldest son of Archbishop Adam Loftus. Sir Dudley was born in 1561, knighted 15th October, 1603, and died at his manor house at Killcloghan 6th April, 1616, having had by Anne Bagenal six sons:—

- (1) Sir Adam Loftus, ancestor of Viscount Lisburn.
- (2) Nicholas Loftus of Felthard, ancestor of Lord Loftus.
- (3) William Loftus, died a religious in Spain.
- (4) Dudley Loftus, killed in the Island of Rhee, unmarried.
- (5) Edward Loftus of Ballynebarney, Co. Wicklow, died aged 87, having married Anne, daughter of George Hartpole of Shrute, Queen's County, and had five sons and four daughters.

(6) Samuel Loftus, married Mary, only child of Nicholas Bagenal, Constable of Leighlin (of whom hereafter), and had two sons and two daughters: Dudley Loftus, married a Russian lady; Nicholas Loftus, who died childless; Martha Loftus, who married firstly Thomas Davis of Kilkenny (by whom she had Dudley, Robert, and Elizabeth, wife to Mr. Wolverston), and secondly to Captain James Sinoek (by whom she had further issue, John and James, both died young); and Elizabeth Loftus, who married Gerald Wallis of Cullenstown, Co. Wexford (by whom she had Anne, Mary, and Eleanor).

MARY BAGENAL married Sir Patrick Barnewall, Knt., of Turvey and of Gracedieu, Co. Dublin. He also brought to the general hosting at the Hill of Tara, 24th September, 1593, an archer on horseback for his lands of Turvey, and four for Gracedieu, in defence of the County of Dublin. He died 11th January, 1622, having had issue by Mary Bagenal (who died 10th April, 1609, and was buried with her husband in Lusk) one son and four daughters:—

(1) Nicholas Barnewall, created Baron of Turvey and Viscount Barnewall of Kingsland, 12th September, 1642. He married Bridget, daughter of Henry Earl of Kildare.

(2) A daughter married Colonel Rory (Roger) Moore of Ballyna, Co. Wicklow, descended from the great family of O'More of Leix, Queen's County, and had issue. It is from this Colonel Rory O'More that the Moores of Carlingford are descended.

(3) Mabel Barnewall, married Lucas, second son of Nicholas, first Viscount Netterville.

(4) Eleanor Barnewall, married the Rt. Hon. Christopher, Lord Slane, son of William, Lord Slane, and she dying in 1625, was mother by him, who died 9th June, 1635, of William, or Thomas Lord Slane, then 21 years old, who married Lady Anne MacDonnell, daughter of Randal, Earl of Antrim.

(5) Bridget Barnewall, married James, third son of William, Lord Slane, and brother to the said Lord Christopher, by whom she had a son, Sir John Fleming of Stoholmuck, Co. Meath, Knt.

MARGARET, fourth daughter of Sir Nicholas Bagenal, married, previous to 1582, Sir Christopher Plunket, Knt. of Donsoghly, Co. Dublin, "a learned and gracious lawyer," only son of James Plunket of same place, by his wife, Catherine, daughter of Thomas Fitzwilliam of Meryon, Bart.; and grandson of Sir John Plunket, Knt., of Donsoghly, Chief Justice of the Queen's Bench in Ireland (who was descended from Robert Plunket of Donsoghly, fourth son of Sir Christopher Plunket, first Lord Killeen), whose wife was Catherine, widow of Nicholas Barnewall of Drumnagh, and daughter of Richard Luttrell of Luttrellstown. Sir Christopher Plunket and Margaret Bagenal had issue, five sons:—

(1) James Plunket of Donsoghly, was living there in 1636; his descendants carried on the line and became extinct before 1780.

(2) Francis Plunket, married Alice, only surviving daughter of Philip Hoare

of Kilsalchan, Co. Dublin, and had : Christopher, Margaret, and Frances, living in the reign of Charles the first.

(3) Richard Plunket, Colonel of a regiment in Flanders, where he distinguished himself and was rewarded with high military honours; but being one of the first contrivers of the Rebellion in 1641, was confined in Dublin Castle, from which he escaped.

(4) A son was a Friar, or Jesuit, also engaged in the Rebellion.

(5) Ambrose Plunket, married Jane, daughter of Morgan Cullen of Ballydnoghreagh, Co. Wicklow, gent., and widow of Henry Dowdall of Kells, Co. Meath, and by her—who died 1st October, 1636—had an only daughter, Margaret.

URSULA (or, as some writers name her, MABEL) BAGENAL, who made the well-known and romantic elopement with Hugh O'Neill, Earl of Tyrone, but had no children.

ISABEL BAGENAL, married Sir Edward Kynaston, Knt., of Oteley, in Shropshire, of which shire he was High Sheriff in 1599, and dying in 1641, was succeeded by his son : Sir Francis Kynaston, Knt., of Oteley, a celebrated scholar and poet, who translated the *Troilus and Cressida* of Chaucer into Latin verse, and died in 1652. Of this family also was Francis Kynaston of Pantabersley, in Shropshire, and also of Saull, Co. Down, who married Catherine, sister of Sir Edward Trevor, Knt., of Rosetrevor, and daughter of John Trevor of Brinkinalt, Denbighshire, and had, with other issue, two daughters, Magdalene Kynaston, who married the Rev. Jocelin Ussher, B.A., of Balsoon, Co. Meath, Precentor of Kildare Cathedral; and Jane Kynaston, who married, before 1623, Robert Ussher, Provost of Trinity College, Dublin, and Bishop of Kildare. These Usshers were nearly related to Rose Ussher, the second wife of Captain Sir Edward Trevor, Knt., of Rosetrevor, to whom we shall refer later. Another daughter of Francis Kynaston of Saull was Margaret, who became wife of James Hamilton of Newcastle, Co. Down, ancestor of the Wards, Viscounts Bangor. Francis Kynaston was Seneschal and Attorney for Arthur Bagenal in the Manor of Newry in 1621. Edward Kynaston, Esq., of Saul, Co. Down, was returned M.P. for the Borough of Downpatrick in July, 1634, and died early in the following year.

CHAPTER V.

THE MARSHAL'S ARMY.

In *Distinguished Irishmen*, by the Rev. D. Hogan, there is a notice of Father Walter Talbot—one of eight of the house of the Lords Talbot de Malahide who entered the Jesuit order. This Father Walter Talbot became chaplain to an Irish regiment in the Spanish service, which was sent to the Low Countries, where Albrecht Durer saw the Irish “war-men” and sketched them. He comments upon the figures, “fine, powerfully-built, and formidable-looking fellows, armed with the long sword and gallowglass axe, clad in a mantle of Irish rug, and wearing the Irish glib and moustache, which it was forfeiture to wear at home—not forfeiture only of moustache and glib, but even of the head.” Durer wrote over it: “Here go the warmen of Ireland”; or, rather: “Also gand dij krigs man in Irlandia hindr engeland.” Dr. Friedrich Lippmann, Director of the Department of Engravings on Copper in the Berlin Museum, says that the inscription is in Durer’s own hand. He calls the drawing (evidently correctly) “Warriors and Peasants,” describing the warriors as “wearing the costume of the fighting men of the Middle Ages.” Durer wrote, too, above the less imposing figures (the man in the “Irish rug” mantle and the two “gossoons”): “Also gend dij pawern in Irlandyen.” “Pawern” suggest an old-time connexion between poor and “peasants,” i.e., Bauern, which the centuries have left intact. The untrammelled freedom of Durer’s spelling comes out strongly, even in these few words from his pen. “Ireland, behind England,” is a quaint geographical note of the great master’s making!

On the top of the sheet is Durer’s true monogram. There are two productions of this sketch in the “*Zeichnungen von Albrecht Durer*,” one in colour, one plain. Dr. F. Lippmann certifies to the accuracy of the copies, except some shades of red and blue, which are printed a little lighter than the original colours.

As Durer was above all things accurate, we Irish may take it that we have from his hand a faithful likeness of our gallowglasses. The original is no longer in Vienna. The Berlin Museum bought it some time ago.*

It may be useful at this stage of Sir Nicholas’ career to appreciate over what sort of military system he was called upon to preside in Ireland. The methods of raising an army in Ireland were founded upon the feudal system in England. Every tenant by Knight’s service was required to find a certain number of horse-men and retainers in proportion to the fees he held. How inadequate this system

*The above mention and illustration of the Irish gallowglass is taken from an article in the old *Pall Mall Gazette*.

was for war in a wild and inaccessible country only sparsely populated by men who held their land in fee, the history of the 16th century demonstrates. It may be interesting to describe how the Earl of Sussex in July, 1560, raised a force in the County of Dublin for an expedition against Shane O'Neill. A Royal Commission written in Latin was first issued "for the musters," addressed to the Privy Council and other leading men in the County. The instructions annexed were very detailed. The Commission was divided into companies who were allotted to the various baronies, for each of which they appointed a captain or two. That done precepts were issued to the Constables of every barony commanding them to appear personally on 22nd day of the month at such place as was appointed and to bring in writing to be certified and delivered on their oaths the names and surnames of all persons between 16 and 60 resident in each Constable's district, all of whom were also to attend personally on the same day at the muster. These men were to bring with them "all such horses, harness, armour, bows, arrows, guns, weapons, and all manner of warlike apparel as they by any means can put in readiness against that time for the service of the Queen's Majesty and the defence of the realm." Any who failed to appear were liable to forfeit twenty shillings or suffer 10 days' imprisonment.

On the muster day the Commissioners were instructed to make a list of all present, viewing each "person and his furniture," considering his "hableness" and weapons. In the margin before the name of each man was to be marked letters: "That is to say, upon every hable* archer h.a., upon every hable harquebus h.ha., upon every hable billman, h.b., upon every hable horseman h.h., upon every hable kernagh h.k., and upon him that you fynde not so hable to leave out the first h." The instructions go on: "But also not in like sorte by writing what horse, armour, and weapon each of them shall then have by these letters: For a horse, h.o.; for a jacke, j; for a spear, s.p.; for a bow, b.o.; for a sheafe of arrows, s.h.; for a bill, b; for a gun, g; for a sword, s; for a habergen of mail, h.m." From this list we get a fair idea of the arms of the period and who handled them. The kernaghe or kerne were the Irish contingent.

The muster books so made up by the barony constables were then given signed to the Commissioners and by them transmitted to the Lord Lieutenant by the 1st of August. At six days' notice the men thus mustered were liable to be called together to what was called the "hosting," or assembly of the expeditionary force. A touch of colour is given to this account by the following:—"Item. You shall give commandment that every barony in the said county do at the charge and contribution of the same barony provide them of a convenient and warlike ensigne with a red cross of St. George therein against the said day of musters."

In these days of telegraphy and telephones it is hard to realise the primitive methods of communication in military use during the reign of Elizabeth. Beacon fires were the best means they could devise for giving warning to the barony con-

* So spelt as from *habilis*.

stables of approaching danger. Thus we read in another Order of the Earl of Sussex: "That beacons be set and good watch kept upon all the accustomed places for all the seacoast of the English Pale where any arrival and landing of foreign enemies may be doubted." And again: "That there be appointed and commanded unto all persons so mustered a place most convenient to make their immediate and indelayed repair unto, with their weapons and furniture appointed upon every warning given by fire or smoke from the afore-mentioned beacons." The beacons were at Ratoath for Meath and Westmeath, and at Castle Knock for Dublin; the hill of Lyons for Kildare, Kilkenny, and Carlow; the hill of Monasterboice for Louth; and for Wexford "such place as the seneschal and gentlemen of the county shall be thought most expedient both for the answering of the said county and of the counties adjoining."

The arrangements for the carriage of stores, victuals, and ammunition for the army were equally primitive. On the present occasion orders were given to the cessors of each barony, according to the old custom, for carts after the rate of 3 plow lands (equal to 360 acres) to a cart. If carts were not forthcoming money was assessed instead. Thus in the County Dublin 46 carts, in Meath 72, and in Kildare 42 carts were raised, while in Louth only 4 carts were to be got, but in lieu of more £100 was cessed. These carts were paid for at the rate of 4d. per day, including the horse, and the same for the driver. As regards the pay of the soldiers, accounts differ according to circumstances. In a general hosting in 1575 it was estimated at the rate of 12d. sterling for every horseman per diem, 12d. sterling per diem for every archer on horseback, and 7d. sterling per diem for every kerne. In 1582 the soldier was paid monthly 16s. sterling. These entries are to be found in the Red Council Book.

There remains only to be described the native levies of an Anglo-Irish Army. The Lord Lieutenant had power to call upon the heads of Irish tribes that acknowledged the Queen's authority to provide a certain number of troops for service. The following was the form used by the Earl of Sussex in 1560:—

"Trustie and welbeloved we grete you well: And wheare for the service of the quenes highness we have thought good at this present to entertayne three hundreth sparres of her majesties galloglasses under your conducte for one quarter of a yere: we lett you witt that we have directed our severall mandates unto Obyrne and unto Omoloy and unto the capitaynes of the Analy to furnyshe you of your bonaght for the same accordingly, the which mandates you shall receyve herewith to be delyvered unto them, and therefore will and chardge you and every of you to assemble and prepare your saide numbere of sparres of galloglasses and with all expedicion receyve your said bonaght appointed and furthewith be with them in redynes to her majesties service as you shall from us have comandement. Herof se you faill not in any wise. Yeven at Rossegarlande, the XXIIth of July, 1560. To Alexandre McTirrelaughe, Tirrelaughe McDonyll, Calloughe McTirrelaughe, and the rest of the capitaynes of the quenes majesties galloglasses, and to every of them."

The Irish terms "bonagh" and "sparres of galloglasses" demand some explanation. "Bonagh" was the tax imposed by an Irish chief for the support of his mercenary soldiers. In Tudor times the Irish employed two kinds of foot-soldiers—galloglasses and kerne. The first were heavy armed infantry, equipped with a coat of mail and an iron helmet. A long doublehanded sword hung by the side, and in the hand was carried a broad, heavy, keen-edged axe. The kerne were light-armed footsoldiers. They wore head-pieces and fought with a dagger at short sword (*skean*) and with a javelin attached to a thong. Sometimes they used bows and arrows. They wore two kinds of shields, one of wickerwork often large enough to cover the whole body, convex outwards and covered with hide. The other was a small circular shield made of wood or bronze.

Spenser praises the Irish soldiers:—"They are very valiant and hardy, for the most part great endurors of cold, labour, hunger, and all hardness, very active and strong of hand, very swift of foot, very vigilant and circumspect in their enterprises, very present in perils, very great scorers of death." (Spenser's view of the State of Ireland).

In a charter of Queen Elizabeth to the City of Dublin, 25th January, 1582-3, there is figured an Irish galloglass. He is standing erect, clad in a greenish coloured tunic reaching halfway down the thighs, apparently quilted, girt at the waist with a thong or belt. In his right hand he holds a battleaxe, its shaft resting on the ground, and its head almost level with the top of his head. The head is covered with a helmet coloured dark green, with a brown top and coverings falling down over the ears. In his left hand dropped to its full length he carries a two-handled sword in a red sheath. The legs are tightly cased in light green stockings. Shoes black. Full beard and moustache.

Each galloglass had a man to carry his battle gear and a boy to carry his provisions, and these three were called a "sparre." Eighty "sparres" made up a regiment or body of galloglasses. Besides the galloglasses and kerne there were Irish cavalry. The horsemen were armed with headpieces, shirts of mail or jacks, a sword, a *skean*, and a spear. Every horseman had two or three horses and a boy to every horse. His horse of service was always led spare, and the boy who carried his harness and spear rode upon the other. The Irish did not ride in saddles with stirrups, but upon pads with legs loose.

Such then was the army which the Marshal of the Sovereign's forces in Ireland was called upon to command.

CHAPTER VI.

SIR HENRY BAGENAL.

Sir Nicholas Bagenal's eldest son was named Henry, after his Godfather Sir Henry Sydney, Lord Deputy of Ireland, a close friend of the Earl of Leicester and an old comrade in arms with the Marshal throughout his Vice-Royalty. Henry was born in 1556. His mother was a Welsh lady of ancient descent, the daughter of Sir Ed. Griffith, in whose right Sir Nicholas became owner of considerable estates in Wales with a seat at Plas Newydd, near Bangor. Very naturally, therefore, the youth was sent at the age of 16 to Jesus College, the recently-built and first endowed Protestant College at Oxford, which had a close connection with Wales. There he was educated as a Protestant and remained for some years.

It is interesting to consider the upbringing of such a man in the sixteenth century. His father enjoying a grant of a large estate in Ireland had built for himself on his estates a castle at Newry. This became a centre of English power in the North and the regular rendezvous for all the military men in Ireland when the border wars with the O'Neills were at their height. Here the Marshal was all powerful and responsible for all the dealings with the native chiefs. Henry must have been familiar from childhood with the Welsh and Irish languages, and so had, no doubt, a great advantage over the numerous Englishmen who came to Ireland for the first time as soldiers and adventurers. There was always a permanent garrison at Newry and he was therefore bred to arms from his earliest days. His training and environment determined a career which was destined to be that of a man of war devoted to the cause of the English Sovereign as against the interests of the native Irish.

Young Henry Bagenal began his career early in life. He was associated in 1577, when only 21, with his father in a Commission for the Government of Ulster and was knighted the following year at Athlone. We first hear of him in active service in 1580 when he was with Sir William Stanley in command of the rear of the English forces at Glenmalur, where Lord Grey de Wilton suffered so signal a defeat at the hands of the Wicklow clans. Three years after he was granted in reversion his father's office of Marshal and his name was generally included in the Commissions for the Government of Ulster for taking musters and surveying lands. In this work no doubt he gained a large and practical knowledge of the country. In 1584 he was sent to attack 1300 Scots who had landed in Rathlin, Ireland, under Angus McDonnell, but the ships which should have co-operated in the expedition failed to arrive and he lost the opportunity of

distinction. The invaders were finally driven off on the arrival of reinforcements under Sir W. Stanley.

Meanwhile in 1586 Henry's attention was turned to England and English affairs. He had married Eleanor Savage, daughter of Sir John Savage of Rock Savage by Elizabeth, daughter of Thomas Manners, 2nd Earl of Rutland. We find him in September writing to Edward, 3rd Earl of Rutland, saying "he was very desirous for his learning's sake to be made a Parliament man" and asking if the Earl had a borough to spare. He had however evidently a second string, for thirteen days later he was returned to the English Parliament for Anglesey, his mother's native county, where he had purchased a long beneficial lease of some property from Sir William Harbert. He was also elected for Grantham, no doubt through the Earl of Rutland's influence, but he preferred to sit for Anglesey.

His election to Parliament naturally brought him to London, where he came into personal contact with Lord Burghley, for whom he wrote a long and exact report upon the State of Ulster. This will be found reprinted in full in the proceedings of the Ulster Archæological Magazine. It was evidently drawn up for Burghley's own use, for the MS. contains interlineations and annotations in the handwriting of the Minister and is endorsed and dated by him 20 December, 1586.

This document remains the best evidence of Sir Henry's powers of observation and expression. His University schooling had not been wasted. Indeed, he was probably more scholar and diplomatist than soldier.

Bagenal's theme was to prove to Lord Burghley how few "Wardable" Castles the desolated province of Ulster contained. In the preceding year he and his father had made an offer, already cited, to build a walled town at Newry, and his thoughts were full of the same subject of preparing sufficient outposts and fortifications against the increasing power of his neighbour Tyrone, and also against the now threatening armaments of Spain.

At the time Sir Henry wrote the country of the Clan McGennis* was the only district where the custom of Tanistry had been abolished and he strongly recommended that Tirlough Leineach's territory should be settled on that chieftain's son with the primary object of abolishing tanistry, "the occasion of much mischief and disorder." The proposed change was of course strenuously resisted, for the Tanist together with all the other subordinates would have been deprived of their expectant interests if both their tribal estate in the soil and the governorship of the clansmen were appropriated by one man.

It had been the policy of the Gael both in Scotland and Ireland to offer no temptations or advantages to invaders. We read of the ban laid by Conan Mor O'Neill on his deathbed upon any of his posterity who should sow corn or build house, declaring that for them to build was but for the crow to make a nest to be beaten out of it by the hawk, and so he

*From which the present Lord Iveagh descends,

" Vowed his race
 For ever to the fight and chase,
 And cursed him of his lineage born
 Should sheathe the sword to reap the corn,
 Or leave the mountain and the wold
 To shroud himself in castled hold."

Rokeby.

Sir Henry after giving a description of the three old and the six new counties of Ulster concludes his detailed account with the following general remarks :—
 It may easilie be perceaved by this slender and brief description of Ulster what hath been and are the reasons why this Province has been from time to time more chargeable to Her Majestie than any other, as namely :—

(1) The want of good towns and fortified places wherewith other places are better replenished.

(2) And next the sufferance of the O'Neills to usurp the Government of the severall Captens and freeholders and by little and little to exceed the bounde of their owne and so increase upon the possession of others; whereby they were made stronger than otherwise they could have been and abled thereby to wage and maintain the greater number of Scottes.

(3) Thirdlie the confining so nere to the iles of Scotland and the continued commerce which the Irishry have with the people of those partes occasioneth the often coming in of them to the great hurt of this Province and the subjects which dwell there.

(4) And lastly, the want of due exercise of religion and justice of sacred and civill instruction is the occasion of much impietie and barbarousness, which two are the mother and nurse of all their disobedience, disorder and disloyalty.

Remedies :—

(1) For a remedy to the first: Tho it be a thing greatlie to be wished that the example were followed by King Henry the Second, of King John and of others since their time of famous memory, who having great desire to reform the country did make sundrie fortifications as well there as in other places of the realm; yet considering Her Majesty's excessive charge now bestowed as well for the defence of this her realm as in other parts beyond the seas, for the necessarie strengthening of her whole dominions; it is not convenient to desire Her Majestie greater expense but only that such revenues as this province may be made to yield Her Majestie may be employed upon fortifications in places most needful for certain years.

(2) And secondly; like as in former time of good Government it was a thing most regarded in all treaties to weaken the force of the O'Neills by withdrawing from them their Uryaghes, as was done by King Henry VIII. with Con. O'Neil who when he had made him Earl of Tyrone gave him no more by patent than the bare country of Tyrone, and specially provided that

he should not intermeddle with any on this side of the Blackwater; so is it most needful to take the opportunity which now the people and the time doth better offer than it did then. Therefore the way is to apportionate both to Tir. Lenogh and the Earl of Tyrone (being both of one surname) landes on the north side of the Blackwater to them and to their heirs male, indifferently bounded by some well acquainted with those countries wherewith they should only deal, and meddle no further, but leave the Government of the rest for Her Majesty to the Chief Commissioner, or other Her Highness's officers in the Province.

(3) To the third: as there is no way so good as to fortify the coast near their landing place, so methinketh that will seem too chargeable and therefore will not like Her Majesty so well. In which respect a second way should be thought upon, and that may be this:—It is evident that the people which most annoy us from Scotland are the Clandonells who are ever in continual war with another secte of people of the Isles named McAllans (i.e., Macleans). And if on McAlan Her Majesty would bestow some convenient pension, he will I think undertake to keep the Clandonells so continually occupied as they shall be able to send none of their people to disturb Her Highness subjects in Ulster, whereof will arise to Her Majesty a treble commodity with a single charge: for she shall both prevent the mischief which is now wrastled with rather than redressed, and save the charge which is almost yearly in this fruitless labour spent, amounting oft to above ten thousand pounds a year, together with the loss of many mens lives, and also assure herself of a good friend and instrument in the backs of the Scots to afflict them and work diversion of their forces when they shall be about to attempt anything against us.

(4) As for the fourth: it might doubtless be remedied if these countries were as well brought to the nature as to the names of Shires; that is that the Shires being perfectly bonded, Sheriffs of English education may be appointed in every country, and in certain convenient places some preachers and Free Schools. And for the whole Province a Council were established, of the wisest gravest and best disposed, dwelling within the same, having some other joined with them that were not possessioners therein. That also Assizes, Quarter Sessions, and such other liketimes should duly and orderly be in every countie observed; which all require not so great charge and travail in the beginning as they yield both profit and honour in the end.*

* Sir William Brereton, Bart., in his *Travels in England, Scotland and Ireland* in 1636 gives the following account of Newry, or "The Newrie" as it was the custom then to call it:—

"The Irish houses are the poorest cabins I have seen, erected in the middle of the fields and grounds which they farm and rent. This is a wild country not inhabited, planted or enclosed, yet it would be good corn if it were husbanded. I gave an Irishman to bring us into the way a groat, who led us like a villain directly out of the way and so left us, so as by this deviation it was three hours before we came to the Newrie. Much land there is about this town belonging to Mr. Bagnall, nothing well planted. He

Sir Henry's memorandum has special interest and importance as one of the first studied reports upon the condition of Ireland drawn up by a principal officer of the Crown for the information of Queen Elizabeth's most celebrated Minister. It was largely drawn upon subsequently by John Dymmock's description of Ulster in his "Treatise of Ireland." It is worth noticing how thoroughly Sir Henry understood Queen Elizabeth's parsimony, and how he endeavoured to show how thriftily his projects were conceived.

Sir Henry attained the highest military and political honours in Ireland when Queen Elizabeth granted him the reversion of his father's office and a seat on the Dublin Privy Council.

He was subsequently made Commissioner of Ulster. The salary and allowances of the Marshal are set out in the records in 1583 as follows:—"The Queen to the Lord Justices directing the reversion of the office of Marshall of Ireland to be granted to Sir Henry Bagenal on the decease of his father Sir Nicholas Bagenal: to hold during pleasure with a fee of 6/8 Irish day for himself: one trumpeter at 12d. Irish: and 30 horsemen at 9d. a day. Greenwich 13 May 1583."

The men who served the Tudors in Ireland were no doubt as a rule hard men. They were confronted with a tremendous problem—the conquest of a country and a race equally difficult and inaccessible. The people were warlike and intelligent, but wild and ungovernable. Their chiefs had for centuries successfully opposed the English ideas of civilisation, land tenure and government. The land was covered with forests, moors and morasses and vastnesses presenting every possible obstacle to military operations. The invaders had to meet force with force, cunning with cunning, guile with guile. But the forces were never adequate to the enterprise. It was difficult to keep an English army in the field for the eternal lack of money was the despair of successive Deputies whose Queen was celebrated for her parsimony and dilatoriness in Irish affairs.

In this connexion it is of interest to find both Sir Nicholas and Sir Henry fully aware of the need of some town of defence in Ulster. The terms exist of a proposal by them to supply the want at Newry in 1586. The document is to be found in MS. in the MS. volumes of the Ordnance Survey at the Royal Irish Academy in Dublin and is entitled "The Offer of Sir Henry Bagenal for the making of a walled town in Ulster 22 August 1586." It runs as follows:—

An offer made by Sir H. Bagenal, Knight which may be greatly to the honor and profit of the Queens Highness, the safety and benefit of all her Majesty's subjects within her province of Ulster in Ireland, and an assured means for the reformation of a great part of that decayed province, to be performed with little

hath a castle in this town, but is for the most part resident at Green Castle.¹ A great part of this town is his and it is reported he hath a £1,000 or £1,500 per annum in this country. This is but a poor town and is much Irish and is navigable for boats to come into with the tide." In a note is the following: "In Newry was a Cistercian Monastery which was conferred by Edward VI. on Sir Nicholas Bagenal and with adjoining property was styled *jurisdictio de viridi ligno*, whence probably the name of Green Castle."

or no change to Her Majesty as shall appear :—

FIRST the said Sir Henry in the behalf of his father Sir N. Bagenal and himself will undertake within 7 years to build a wall of a mile or more in compass about the town of Newry which wall shall be 16 foot high beside the battlement, and 5 foot in thickness with towers, gates and flankers convenient, which will cost by estimate about 5,000 pounds.

ALSO they will erect there a schoolhouse where all the youth of the province may be educated in civilitie and learning whereby they may be taught their duties to their prince and country.

FURTHER they will, for the better maintenance of the said school and scholars and towards the finding of a preacher to plant religion, endow the said school with the tithes of a lordship whereof the said Sir Nicholas and Sir Henry have now the inheritance and is worth by year at least 100 marks sterling.

In consideration of which charge is craved at Her Majesty's hands only the helps following :—

FIRST that whereas Mc Gennis and Mc Mahon have promised and should pay certain beeves by the year (which were never yet answered to Her Majesty) to be discharged of all other impositions, we desire that the said beeves and the services of the said captains may be granted unto us towards the said building only for the space of certain years as to Her Majesty shall be thought meet.

ALSO that after those years expired the said Mc Gennis his beeves or rent may be granted by Her Majesty for and to the said free school and preacher, the one half of which scholars in respect thereof may be appointed by Her Majesty and her successors and so named the Queen's Scholars.

ALSO that the said Sir Nicholas with his Son joined with him (as in sort they be) may be enabled with like authority and government in that province (with only the same small fee they have) during their good behaviour in as large sort as Sir Richard Bingham hath his commission for Connaught, the only benefit they lack thereby is some maintenance that may grow to the furthering of this building, and they are persuaded that they have done and shall do Her Maejsty as good service therein as any other and with less charge.

ALSO that the band of a hundred footmen under the leading of the said Sir Henry may for those said years be garrisoned in none other place nor withdrawn from thence, being a place as convenient as any, but upon some special service of Her Majesty for 40 days in a year as the necessity thereof will require, and then after to return to their said garrison for the better defence of the place, countenancing of the works and other needful services of those borders.

LASTLY that whereas for performance hereof the said Sir Nicholas and Sir Henry must be forced to sell part of their inheritance in England, it is craved that the said Sir Henry may have Her Majesty's warrant of license for his repair over for three months in every year during five years-at times when from his services in Ireland he may be best spared so as he may the better take order for the sale of the said lands.

The benefits to accrue unto Her Majesty and her subjects in Ulster by making a walled town at Newry.

The making of a walled town in a place standing so well for the service, and so far within the Irish pale will be a perpetual assurance for such as are and will be subjects, and moreover when any rebellion shall arise in these parts it will be an occasion for the holding of many who of force must take part with the evil disposed if there be no such place of assurance for themselves, their women and children.

Also the walling thereof will draw, in a small tract of time, such a number of civil inhabitants thither as shall be able to do her Majesty great service and ease her of a great part of her charges, which she is now at in maintaining garrisons in that province.

Also the same will bring a great precinct of the country to civil obedience and quietness, but especially will be a great defence to the English Pale and make the passages there safe which may easily be now seen by the buildings which the said Sir Nicholas has already made there. For afore such time as he planted there, the O'Neills possessed all to the gates of Dundalk and a great part of the Co. Louth and none was able to pass from Dundalk to any place northward without a great convoy of soldiers. Also upon any occasion of trouble that may fall out in any part of the province this will be a place of assurance ready and convenient for the safe keeping of Her Majesty's victuals or munition whereas now there is no such in the whole province.

CHAPTER VII.

THE LOVE STORY OF MABEL BAGENAL AND THE EARL OF TYRONE.

Of all the laws introduced by English Kings and statesmen into Ireland those directed against intermarriage between the English settlers and the Irish natives were the most futile. The need of wives is the most imperious law of nature and has always overborne all other considerations. And as into Ireland very few Englishmen ventured themselves in company with their relatives the natural consequences were that Englishmen wooed and married Irish wives in spite of continual statutory enactments to the contrary.

As far back as the reign of Edward III. the English in Ireland had assimilated themselves to the Irish by marriage to so great an extent that they talked the native tongue, wore the native dress, used Irish arms, played Irish games, and adopted all the habits and customs of their environment.

This intermarriage and familiarity was gall and wormwood to the English statesmen, and accordingly the Statute of Kilkenny (40 Edward III., A.D. 1366) enacted prohibitions against English settlers using Irish arms, or modes of riding, fashions of wearing hair, hurling, entertaining of bards, and harpers. The penalty for disobedience was the liability of being treated by the Judges, when they came to sue in the Pale Courts, as Irishmen who had not the privilege of English laws. The Statute further enacted that such of the English who lived "out of the King's peace" (i.e., outside the Pale counties) as intermarried with the Irish or had alliances with them by "gossipred or fostering" should be guilty of High Treason. But if love laughs to-day at locksmiths, he merely ignored such printed threats in ancient Ireland. *Il faut que les jeunes gens s'amusement.* Englishmen married Irish wives just when they wanted to, and *vice versa*.

The affair between Hugh, Earl of Tyrone, and Mabel Bagenal is perhaps the best example on record of one of these intermarriages becoming almost a matter of State importance. It is a story worth telling. The greatest figure at this time amongst the Irish Chiefs was Hugh O'Neill. Here is Fynes Moryson's description of him: "He was of mean stature, but strong in body, able to endure labours, watching, and hard fare; being withal industrious and active, valiant and affable, and apt in the management of great affairs; and of a high dissembling subtle and profound wit, so as many deemed him born either for the great good or ill of his country." Such was the man who came a-courting Mabel Bagenal,

When Shan O'Neill killed Tyrone's father, Hugh was protected by Elizabeth, and went over to the English Court, where he was well received and resided in London, receiving at court and camp the best education of the time. On his return he commanded a troop of horse in the Queen's pay, and served so loyally in Desmond's rebellion and on other occasions that he was rewarded with a yearly allowance of 1,000 marks. He was supported by successive Viceroys as Baron of Dungannon against the Dynasty of Turlough Lineach as a check on him, on whose death he assumed the title of O'Neill. At last the Irish falcon trained in the mews of an English Court turned "haggard" and was compelled by circumstances or lured by ambition to fly at the high game of national independence.

The Earl had married early in life, and for some reason not stated had divorced his wife. He married next Judith, daughter of the Prince O'Connell, who died. Not long after the death of Sir Nicholas, Tyrone fell in love with the late Knight's youngest daughter Mabel, with whom he must have been acquainted from childhood. The story created considerable stir in high political circles in England, and as told in the State Papers is quite a romance. Mabel's four sisters, as already stated, had all married Roman Catholic Irish gentlemen, only one other married an Englishman, and there is evidence to show that Tyrone was intimately acquainted with them and with many of the Anglo-Irish gentry. The Bagenals in Ulster had for 40 years bitterly opposed the interests of the O'Neills and had profited in lands at the expense of the native chiefs. Sir Nicholas had followed strictly the policy laid down by Elizabeth that no Englishman should contract marriages with the native Irish. On one occasion an Irish chieftain Tirlogh O'Neill proposed to marry his sister-in-law. Sir Nicholas declared that he would rather see his kinswoman burned, though she was promised 20 Englishmen and 6 English gentlewomen to wait upon her.

It was no wonder therefore that Sir Henry Bagenal, loyal to his father's English views, determined to oppose Tyrone's courtship of his sister to the bitter end. The Earl seems to have made no secret of his object. He visited Sir Henry at Newry and opened the matter to him and asked leave to pay his addresses.

Sir Henry declared it was a matter he could not decide without referring to the Queen and the English Privy Council. The law was against matching with the Irish. Then there was the "incivilitie" of the country which would not agree with his sister's education; moreover what about a jointure to be allotted for the lady's maintenance after the Earl's death? Finally there was a nasty story about the divorce of Tyrone's first wife, the daughter of Sir Bryan Mc Phelim. Could he prove a legal divorce? Where was the sealed document? Did it even exist? The Marshal evidently did not blink matters with the Earl and gave him no encouragement whatever in his suit.

Tyrone was not easily put off his heart's desire. He writes to the Privy Council: "I dealt with him at least six several times for his consent; I offered to put in sureties for the assurance of a jointure to his sister; this I did before good wit-

nesses. I likewise procured some of the best Counsellors in this kingdom to deal with him in this behalf. I dealt with Sir Patrick Barnewell and his lady, a sister of Sir Henry, very earnestly for their consents and with others of the best allies she had." But all was of no avail. The Marshal was obdurate. He was like his father. He would probably rather see his sister burned than wedded to an Irish chief.

Tyrone not easily balked at last determined by strategy and force to get what he could not succeed in getting by negotiations. He tells the rest of the story himself :—

" All this while there was no objection once made to me of any former marriage, saving that once I confess the Marshal told me privately that he had heard of such a matter, and by way of advice (not any way objecting the matter to me) wished me to look to it, to whom I then answered that that matter was long since cleared, wherewith he then seemed to be satisfied; perceiving that I found nothing but delays and fair words in the Marshal, and having used all means I could to get his consent, I attempted another course, to deal with the gentlewoman herself, and about 20 days before my marriage I got good opportunities to speak with her myself; I lodged one night at Sir Patrick Barnewell's house, where the gentlewoman was kept, where I dealt so effectually with the gentlewoman that we were trouthed together, and she received from me a chain of gold. After this there passed between her and me some messengers which confirmed our love on both sides, and upon a matter concluded between her and me, upon the third of August last, I took in my company at least half a dozen English gentlemen that were my friends, and went to dinner to Sir Patrick Barnewell's, where I found good entertainment; after dinner some of the gentlemen in my company going to play and other exercises, the gentlewoman that is now my wife espienge her time, mounted her self behind one of the gentlemen in my company, and went away with him, he having none in his company, but one or two serving men. I tarried still in the house talking with the lady (Barnewell) for her consent, and when I understood that my praie was well forward in his way towards the place where we had agreed upon, I took my leave of Sir Patrick Barnewell and his lady and followed after, and soon after I was gone the gentlemen, which were in company with me, took their horses and came away quietly.

" This is upon mine honour the truth of my doing in this action wherein if I have offended, I submit myself to her Majesty, and your Lordships' correction; whatsoever is said or written to your Lordships on this matter, contrary to this which I have now written, it is upon mine honour an untruth. The gentlewoman was carried not into my country there to be abused, but to an honest English gentleman's house within a mile of Dublin (which is the place that I mean always to fly upon occasions if the Lord Deputy and state be there), where I did not once touch her, until I had sent to Dublin and had entreated the bishop of Meithe to marry us together in honest sort, which he did, and thus I came by the gentlewoman, and presently after solemnized the marriage in the best manner.

I could, since which time I have been very desirous to get the good will of his friends, without which I thank God and her Majesty I am able to live; but what stirs the Marshall hath made of this matter, in every place seeking to dishonour me, and if it lay in him to undo his own sister, if your Lordships did know them you would wonder that a man of his place should so far miscarry himself.

“Sgd. Hughe Tirone.”

It is not surprising that Sir Henry Bagenal was very wrath over the successful elopement of his sister with Tyrone. His letters to Burghley immediately after the event are full of passionate complaint and grief. “I can but accurse,” he writes, “myself and fortune that my blood which in my father and myself hath often been spilled in repressing this rebellious race, should now be mingled with so traitorous a stock and kindred.” He blames bitterly the Bishop of Meath for marrying the couple, and insinuates that he knew of a former wife’s existence: “By this and such like example in men of his sort God’s word is greatly slandered and many men in this kingdom, who I think would willingly embrace the truth, are brought into detestation of the gospel.” There is a Protestant touch in this, which is significant.

The Bishop feels obliged to write his explanation to Burghley. He declares he never heard of the existence of O’Neill’s first wife and that the Marshal wrongs him in saying so. His story is that he was brought posthaste from Dublin to Drumcondra on August 3rd, 1591, by a messenger from Tyrone. The Bishop made no difficulty, a little suspicious perhaps, but he went at once. He found the Earl and the lady “in a chamber together with 10 English gentlemen of good sorte.” After some courteous salutations Tyrone explained the situation. He and Miss Bagenal had been betrothed for 20 days. She came with her own consent and they both asked him to marry them “according to her Majesty’s laws.” The Bishop then took the lady aside and examined her. She declared to him that she had “plighted her troth and given her promise to the Earl to marry him . . . and upon that promise she had received a token from the Earl worth £100.” The token was a chain of gold. She had come from Sir P. Barnewell’s with her own free consent and unless she had agreed to that “device and manner of escape” it had never been attempted. Finally she was resolved to take the Earl to her husband. “You see,” she said to the Bishop, “in what case I am, how I come hither with my own consent, and have already promised my Lord the Earl to be his wife, I beseech your Lordship for my credit’s sake to perfect the marriage between us, the sooner the better for my credit’s sake.”

The Bishop evidently could not resist the appeal and he married the couple forthwith. His excuses will be held sufficiently good by all lovers: “Seeing the young gentlewoman in the place where she was neither mistress of herself nor of her affections, and knowing that all ordinary means had been used and wrought to procure her friend’s consent I resolved chiefly in regard of the danger wherein the gentlewomen’s credit and chastity stood, to perfect that knot which themselves before had knit, and did accordingly at the same place, being at an honest English gentleman’s house celebrate the marriage.”

The marriage was not interfered with. The Queen's Deputy sent a special commission into the North to enquire into the question of divorce, which was finally settled by the production of the "writing of divorcement." It turned out that the divorcee had herself married again and had a family, which Tyrone pleaded as a final answer to the Marshal's scandalous allegation.

The animosity and rancour between the Marshal and Tyrone increased as time went on, the former being regarded by the Irish as the point of the English spear in Ulster. Two years after the marriage it is recorded by one of the Queen's pursuivants at Dundalk in 1593 that the Earl "said openly in the audience of the Countess his wife, Harry McShane O'Neill, O'Chaine's son, and divers others in the house at Castlerowe that there was not a man in the world he hated so much as the Knight Marshal; and further said (openly to myself) if he were disposed he would be within a mile of the said Marshal in spite of his teeth, do what he could." The saying is cryptic, but the bloodfeud between the two men did not end till the battle of the Yellow Ford. On the other hand the Marshal inexcusably refused to pay his sister's dowry of £2,000, and his animosity to Tyrone undoubtedly coloured the whole of his actions in war and politics, till he met his death at the hands of his Irish enemy on the stricken field.

Was the marriage of O'Neill and Mabel a happy one? Her brother who knew Irish ways and customs thoroughly gave it as one of the chief objections to the alliance that "the incivility of the Earl's country did not agree with his sister's education." He evidently was convinced that an English-bred woman's idea of life and social habits was incompatible with that of the native Irish, and that even as wife of the great O'Neill, who was a Prince in his own country, her future must be fraught with misery and unhappiness.

The name of the lady occurs only once again and very briefly in the correspondence of the time, but the setting is so dark and horrible that one feels that disillusion was a certainty and the union was an unhappy one. The glamour of a great name, the vows of a fascinating lover, the romance of a gold chain, the excitement of an elopement, all these were soon to be exchanged for the grim realities of Irish life in Tudor times.

The story is given in a letter of complaint addressed to the Privy Council in Dublin and was dated 21st June, 1593, a few days after the pursuivant's interview already mentioned.

Tyrone had a tenant, probably a sub-chief, named Phelim Mc Tirlough O'Neill, with whom he had had a dispute, having turned him out of his land and put in two of the O'Hagan clan. Phelim under the protection of the Deputy and Council sought an interview with him, no doubt to remonstrate with him. The Earl gave his word to Phelim and the Council for his safety and so, on May 13th, 1593, Phelim repaired to Crannocke, his own holding, where his lord was staying with the O'Hagans. There he stopped and had "good entertainment" himself and three companions, one of whom was Donell Oge, from Saturday till Monday. On Sunday a suspicious incident occurred. The Earl was escorting a neighbouring

Chief Maguire home by the side of the Bann for a couple of miles, and he was observed on his return to be in secret talk with the two O'Hagans. Phelim then had speech with the Earl and disclosed his mission, which was "but to take his son Hugh to foster." The Earl said he would do nothing that night, but "stayed him to sup." On Monday Phelim "repaired to the Earl and had secret conference with him as touching his mission which he had well thought to have obtained at his hands. But so it is (continues the narrative of his friends) that upon the Earl's departure into the cot taking the River of the Bann howbeit Phelim did salute him with the words, 'God be with you my lord,' the Earl turning his back toward him, said, 'God be at defiance with you till night,' and so he departed down the River. The Earl no sooner departed but the said O'Hagans came and flattered the said Phelim, putting hands about his neck, walking into the Earl's camp till the Earl was out of sight; and then openly in the very camp and in the view of the Earl's people the said Owen who clasped him about the neck drew his sword and struck off one of his arms. Then the other two, Henry and Hugh, struck at him at the very gate of the crannock, wherewith he was mortally wounded and after hewn in pieces. And not therewith content they after pursued the said Donnell Oge who took the river whom they killed and drowned in the same. And these two (your supplicants) taking the woods, hardly escaped. And moreover they (the O'Hagans) suddenly went to the creats of the said Phelim, and having taken the prey killed a younger brother of the said Phelim, one other gentleman and two men. Of all which these your suppliants are eye-witnesses."

It is impossible to have a more vivid contemporaneous account of an Irish internecine feud in the days of Elizabeth. The treachery and blood-thirstiness of it all seems to the modern mind appalling. But it may be urged that the Earl of Tyrone was not responsible for the murder of a clansman of his own. The letter of the eye-witnesses points otherwise. They continue: "Further by hearsay we do allege that the Earl arriving at Portcloneonine, being but 5 miles from the Crannocke and being there overtaken by Hugh O'Galcho who followed him to a boat with victuals, the Earl blamed him for his long stay and asked him the question of his long stay. Who answered he was seeing the doing of an ill-deed. 'What is that?' said the Earl. 'The killing of Phelim Mc Tirlogh.' 'And is he killed?' 'Aye.' 'And is Donell Oge killed too?' 'Aye. Both killed and together was sorry, as should seem, of that which happened, to whom the Earl Whereunto the said Hugh said nothing. But the Countess clapping her hands together was sorry, as should seem, of that which happened, to whom the Earl in English spake with vehemency which most of the company did not understand and so could not come to your suppliants knowledge."

This is the only glimpse we get of the married life of the lady for whom Tyrone professed to have "so earnest an affection." But a little chink often gives great light, to quote a Tudor proverb. We see the English wife surrounded by Irish speaking people deserted by her English friends, and hearing at first hand of a

cruel and treacherous murder committed by her husband's retainers. When she exhibits horror and sorrow at the narrative the Earl speaks vehemently to her.

Nor did her sorrow or remonstrances, if made, avail one whit to stay her master's hand. Within three days after the murder "the Earl not satisfied did again send of his people not only to take the prey of Phelim's creaghts for the year's rent which he should have had free according to your honour's order, but also made open proclamation for banishing of your suppliants and their kinsmen out of the said lands and for cutting off their heads if they should come upon the same. No better proof they have thereof but that the Hagans aforesaid are dwelling in the said Crannock and upon their lands where upon Wednesday last in the evening your suppliants repairing by stealth did view and see them. And they have the two eyrie of hawks which the said Phelim had in purpose to bestow upon your Lordship and Council."

Certainly the evidence of foreknowledge of the murder seems tolerably strong against Tyrone. The Countess of Tyrone did not survive her marriage long. Her death took place in January, 1596, so she did not live to see the final and mortal struggle between her husband and brother.

CHAPTER VIII.

THE BATTLE OF THE YELLOW FORD.

In 1593 Sir Henry invaded Fermanagh from the side of Monaghan to attack Hugh Maguire, who had defeated Sir Robert Bingham at Tulsk. At Enniskillen he was joined by Tyrone, and together they defeated Maguire. Both claimed the credit of victory, but this was the last service Tyrone rendered the Crown and henceforward he and Bagenal were at open war. In 1595 Sir Henry relieved Monaghan, which was besieged by Tyrone, but in the following July his lands were wasted right up to the Gates of Newry.

In 1595 Sir Henry Russell succeeded Sir W. Fitzwilliam as Lord Deputy and "foreseeing a storm of war arising" out of O'Neill's mobilisation of the native forces, he sent for an army of "expert soldiers trained and exercised in arms."

Sir John Norreys came in command of 1,300 veterans and immediately the long war with Tyrone broke out, which only ended with his final defeat and flight from Ireland. The Queen's army in Ireland had dwindled greatly. When O'Neill's last rebellion broke out the whole force at the disposal of the Marshal consisted of 10,000 foot, one-third of which was native kerne, and 500 horse. These even with Sir John Norreys' reinforcements were quite inadequate to cope with a confederated Ireland under the capable leadership of Tyrone.

The entire force which the Ulster chiefs could put into the field was estimated at 15,000 foot and 2,238 horse, but the vast proportion of these were irregular troops, which were frequently dispersing without discipline and had no system of commissariat. Having no means of carrying on an offensive campaign, O'Neill's policy was to avoid carefully any general action, but to harass the English forces by raids and incursions and by fomenting disorder in every province. He was in communication with Spain and hoped for substantial assistance from abroad, as all Irish revolutionaries have invariably done and with the same result. But Spain was already staggering into insolvency and did nothing till too late.

In December, 1596, Sir Henry revictualled Armagh and again in the following year, this time nearly capturing Tyrone himself. After three years' fighting, parleying, negotiating and attempting at compromise, in the summer of 1598 there came to the Privy Council in Dublin an urgent appeal for assistance by a beleagured fortress on the Blackwater, near Armagh, which had been most gallantly held for months by Captain Williams and 300 Englishmen against O'Neill's attack. The garrison were on the verge of starvation. Were they to be left to the mercy of the enemy? There was much difference of opinion at the Council table in Dublin. The civil element was for letting Williams make his own terms of surrender. In fact letters had been sent to him to this effect, but were inter-

cepted by the Marshal, who came posthaste to Dublin to remonstrate. The soldiers "standing so much on the honour of the service" were in favour of an immediate relief expedition and won the day. Sir Henry Bagenal himself was chosen to lead the army and started forthwith. The force he commanded was not sufficient. Unfortunately, it was decided to divide the available English forces, a combination being sent South. As usual the enemy was underestimated. 4,000 foot, of which a considerable part were raw English levies unused to Irish warfare, and 350 horse, was considered sufficient to cope with three times that number of the Ulster Irish, many of whom were well trained, armed and disciplined soldiers. The result was the great Battle of the Yellow Ford on August 12th, 1598, and a catastrophe of the first magnitude.

Tyrone had nearly every advantage that a good general could desire—ample time to choose his ground, superiority in numbers, concentration of the Northern Clans, religious and national enthusiasm, and growing confidence. He had no artillery, the only point in which he was deficient, but he was well provided with mounted troops, besides trained gallow-glasses and kerne of his own country, and those of his ally, Red Hugh O'Donnell, the Prince of Tyrconnell, whose sister he had married after the death of Mabel. Moryson sets down the Irish forces at 7,000 footmen and 1,700 horse, acting in two great divisions.

There is a contemporary plan of the battle which shows of Tyrone's position and the conformation of the country on which the Battle of the Yellow Ford was fought. I have examined and traversed the spot myself so that I am able with some accuracy to follow the details of the encounter, which was fought out over a considerable distance and with very varying fortune.

"We understand," wrote the Council, "that Tyrone hath plashed the ways and digged deep holes with other trenches and fortifications to impeach the army between Armagh and the Blackwater."

In this way the ordinary road between Armagh to the Blackwater Fort was blocked and the problem was how and from what quarter to deliver the attack. The Marshal, at the Council of War the night before the battle, probably knew that Tyrone was intrenched about a mile from the Blackwater, his centre on rising ground commanding the approach of the English. Between Armagh and his position was wild, uncultivated land, with hilly, very marshy bottoms, thickly wooded on each side and exceedingly well suited for Guerilla warfare for the whole length of the way, which was about 2 Irish miles. A small river called the Callan, now more defined by modern drainage than in the old days, curved round an important strategic part of the ground about a quarter of a mile south from O'Neill's position, and played a leading part at a critical moment of the battle.

To relieve the Blackwater Fort the English were apparently bound to make a frontal attack, inasmuch as the force was insufficient to attempt any flanking movement. At all events, nothing of the sort appears to have been attempted.

On the other hand Tyrone had filled the bog and woods on his right, which lined the approach to his position, with active light armed troops, almost up to

the outskirts of Armagh, supported by horse. On the left similarly O'Donnell's forces lined the way. But above all there was, right across the Irish front, a great entrenchment a mile long with a ditch 5 feet deep and banked 4 feet high, with a thorny hedge on top. It was as perfect and as successful a trap as ever was laid by De Wet in the Boer War. The ground through which the English had thus to advance was narrow, probably not more than a hundred yards in width, wooded on both sides, and deep with bogs.

The English Army numbering about 4,500, of which half, perhaps, were Irish levies, arrived in Armagh on the 12th August, and lay one night there, the camp being pitched on the right and left of the high road leading out of the town. Next morning at early dawn the army with drums beating and colours flying advanced "a mile on the right hand side of the common highway" to the Blackwater. There were six regiments and these were to have been grouped into three divisions of two each. The first division was led by Captain Percy and Captain Cosby and constituted the vanguard. The second division led by the Marshal formed the main body, or "Battail," and was served with one large piece of artillery, called a Saker, drawn by oxen (soon to be a source of delay and obstruction), and three other pieces. The rearguard and horse were commanded by Captain Billings and Sir Callisthanes Brooke, a volunteer, who had with him an Irish chief of some distinction named O'Reilly, and the Irish levies. Unfortunately for the English the original close formation was not kept. The six regiments advanced in loose order some 600 or 700 yards apart, and were never able to second each other.

Across the path of the English Army close to Armagh flowed a sluggish discoloured stream which gave the Irish name to the battle—"Beal-an-ather-budhe" or "the mouth of the Yellow Ford." It was not until this stream was passed and they were in boggy and hilly ground that the real fighting commenced. Then the Irish "rose out with their main forces to stop the passage," and cut off the rearguard, which was attacked by the enemy on either side.

We have three accounts given by surviving officers, the last by Captain Cuny only recently published in the Hist. MS. Reports. Captain Ch. Montagu in his report says: "We marched severally, some 600 or 700 paces between each regiment, our way being hard and hilly ground within caliver shot of wood and bog on both sides, which was wholly possessed by the enemy continually playing upon us." The vanguard, no doubt the pick of the English troops, under Cosby and Percy, with 2,000 men, fought their way through this attack. Then occurred one of those accidents in a crisis which turn the whole fortunes of the day. The Saker, the largest of the four pieces of cannon which were with the 2nd division, got bogged in a ford and a wheel was broken. The oxen that drew it were killed. There was a stay and a total delay in the progress of the attack, the first two divisions were divided and the rearguard was broken by flank attacks. Lieutenant Wm. Taaffe says: "Skirmish was hotly entertained in the rear," and Captain Montagu says plainly "our rear being hard sett-to retired foully to Armagh."

The Lord Justices say in their letter of description to England that some of the Irish contingent "ran to the rebels," probably after the fate of the day had been decided.

While this was happening in the centre and rear, the vanguard had come across

genal.



A small body of horse under Montagu escaped to Newry. The rest of the army took refuge inside the Cathedral of Armagh, where they remained besieged

Plan of the Battle of the Yellow Ford,

Fought near Armagh, August 14th, 1598, Between the Earl of Tyrone and Marshal Bagenal.

A. Ardmaghe
B. English Camps
C. High Way
D. The River

E. The Trench
F. The Bogges
G. Yndervoodes
H. Canofildes.

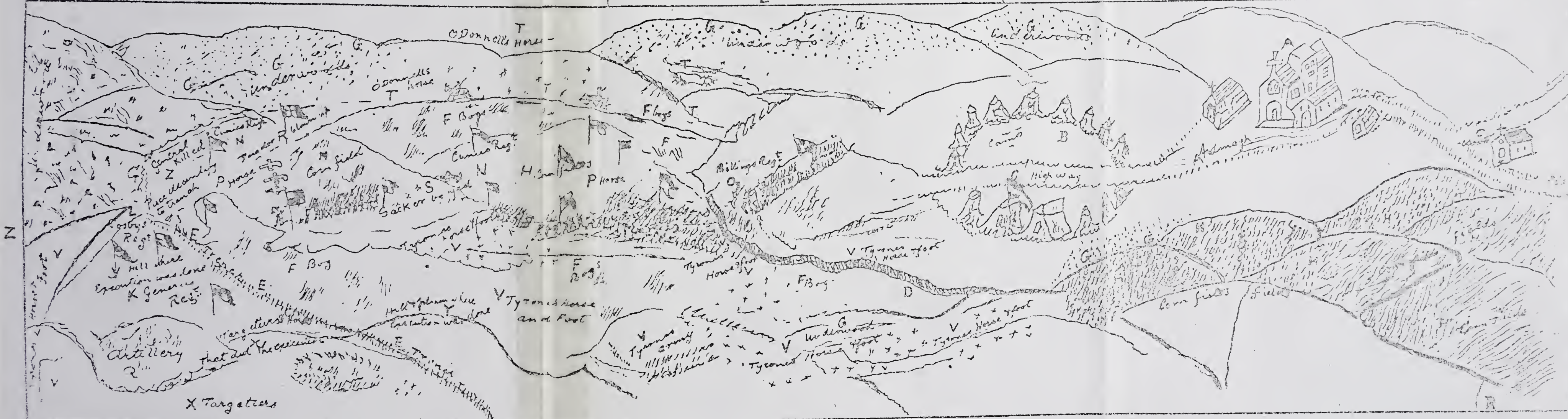
I. Percies Regt
K. Generals
L. Cosbies
M. Wingfields
N. Curies

Description of the Army which was
defeated by the Earl of Tyrone
14 August 1598

O Billings Regt
P Troopes of Horse
Q Artillerys
R 4 Barrels Powder
blowne up.

S Sackeys bogged.
T O'Donnells Horse & foot
V Tyrone's
X Targetiers & Horse
that did the Execution

Y Hill & Bogge
of Execution
Z Place descending
to Trench where
General was
Killed.



The Lord Justices say in their letter of description to England that some of the Irish contingent "ran to the rebels," probably after the fate of the day had been decided.

While this was happening in the centre and rear, the vanguard had come across a boggy flat to the great entrenchment already described, but not without continual fighting. O'Neill had dug numerous pits and trenches in the first portion of the flag bog, especially on and around the road itself, and covered them in with hay and brambles. Into these the mailclad English horse and foot tumbled, and were attacked or despatched by fresh Irish skirmishers and lighthorse, all well armed and eager for the fight. In this way the English vanguard had frequently to halt and repel attacks whilst waiting for the second division to come up with the artillery. The three guns at last were brought up and made breaches on the extreme right of the entrenchment. Even now ill luck seemed to have dogged the Marshal's men. In the heat of the battle an English gunner who had used up all his powder was taking some more from a powder barrel when he accidentally let fall the lighted tow-match into the barrel, which blew up with a terrible explosion—two other barrels catching fire immediately afterwards.

It was now 11 a.m. If the Marshal had been able to rally his whole force for one final attack, and then rush the entrenchment he might have been able to get to the Blackwater, but this he could not do. The vanguard under Cosby and Wingfield pressed forward alone across the trench and were immediately taken in flank by Tyrone's cavalry and pikemen on the one side and by O'Donnell on the other, and were practically annihilated.

At this juncture the final misfortune occurred to the English Army. Marshal Bagenal by this time had succeeded in bringing up the second division, and in order to move freely and to survey the whole battlefield raised the visor of his helmet. Some Irish sharpshooter at once saw his opportunity and lodged a bullet in his brain. Notwithstanding the General's death, two more regiments poured through the trench, and for some time fierce hand-to-hand fighting took place, but O'Neill's cavalry once more decided the day after his targetiers and pikemen and O'Donnell's musketeers had done their work. There was no active support from the rearguard troops, too busy in their own defence. All they could do was to assist the retreat into Armagh by seizing the first ford and a hill beyond. By degrees the English in front broke, and defeat ended in rout. The trench was a greater obstacle in retreat than in attack, and terrible execution was made upon the flying foe by the victorious gallow-glasses.

The loss of life in the English side was very heavy indeed. Besides the Marshal no less than 18 leading "Captains" and some 2,500 soldiers being killed or wounded. Some 30 colours were captured, and all the military drums, cannon, a great quantity of arms, and the entire commissariat, including the stores intended for the Blackwater Fort.

A small body of horse under Montagu escaped to Newry. The rest of the army took refuge inside the Cathedral of Armagh, where they remained besieged

by O'Neill until terms of composition and evacuation were arranged. It is said that the body of the dead Marshal was buried in the South Transept, but no memorial marks his grave. In all probability the body was brought to Newry and buried there in the Church. Such at all events is the local tradition.

It must always remain a mystery why O'Neill permitted the broken and dispirited English Army to depart unmolested. There was no force in Ireland left to prevent a triumphant march upon Dublin had he been sufficiently audacious to attempt it. But, like the Boers after Colenso, he failed to rise to the height of his opportunity. Like the South African General, O'Neill was handicapped by the habits and customs of his own people, who probably departed immediately to their own homes to relate the account of the great and glorious victory of the Yellow Ford. It was a Pyrrhic Victory, for it decided Elizabeth to take up O'Neill's challenge which proved his ultimate ruin.*

There is a contemporary Irish account of the Battle of the Yellow Ford which contains much interesting information about the encounter and some generous remarks upon the personality of Marshal Bagenal. The writer was Don Philip O'Sullivan Beare, a member of the well known sept of Sullivan, who lived near Bantry, Co. Cork, whose brothers were present at the battle. He was sent while yet a boy to Spain, where he served in the Spanish navy and army. Then he appears to have devoted himself to literature, publishing quite a number of books. Amongst these, written in Latin, was "A History of Catholic Ireland," part of which contains an account of the Elizabethan Irish wars, including the battle under consideration. In this O'Sullivan makes the following remarks:—

"Bagenal was skilled in the art of War and what you rarely find in a general he was equally pre-eminent in coronal and in courage, cautious in prosperity, courageous in adversity and not so insolent towards the vanquished or those who surrendered as most of the English, who are never sparing of gibes. And so I would venture to compare few of his people's generals with him and to prefer still fewer. He was bitterly incensed against O'Neill, not only on the general grounds of religion and loyalty, but also on account of private quarrels" (no doubt an illusion to O'Neill's elopement with his sister Mabel). O'Sullivan then proceeds to describe the English Army, which he puts at 4,500 foot and 500 horse. O'Neill's army he numbered at 4,500 foot and 600 horse, "nearly the entire youth of the nobility of Ulster and many young Connaught men by no means of ignoble birth. They were however very inferior in equipment."

O'Sullivan says owing to this last defect O'Neill was in doubt whether it was wise to give battle against the strong advancing army of English supported by Irish mercenaries, "who formed," he says, "a slight majority in the pay of the English"—an interesting contribution to the strength and formation of Bagenal's Force, which was by no means entirely composed of veterans, but contained many raw recruits from England.

*For the account of Tyrone's death in 1616 at Rome see the *Annals of the Four Masters* and Gilbert's *Aphorismical Discovery*, with Portrait, Vol. I., Part I,

It was not until O'Neill had been reassured by O'Clery, an interpreter of Irish prophecies, that "the heretics would be routed in this spot and showed him the prophecy written in Irish verse in a book of holy prophecies"—that he stimulated his men with a great oration of encouragement.

O'Sullivan gives the speech in full and further proceeds to give Bagenal's speech to his own army, also in full, and equalling O'Neill's in confident prophecies and boastful anticipation of victory. And so the battle was joined and described quite in the manner of Greek and Roman historians.

Naturally enough after the news of the crushing defeat reached London there was a great sensation and much recrimination. Quite recently a fresh document has been printed in the 8th Vol. of the Historical MSS. Commissions Reports on the Cecil MSS. at Hatfield which gives some fresh information of the battle. Captain Cuny, who was in command of the rearguard, having heard that he and other officers had been accused of cowardice, wrote his defence to the Earl of Essex. He repudiates the accusation warmly and says that the officers "brought off 2,300, of whom six or seven hundred had thrown away their arms cowardly before the retreat was made." He goes on to say, contradicting O'Sullivan's account, that 1,500 men in the army were "new supplies who were never trained, their pieces most unserviceable. Seven hundred of these supplies were sent to me. I said unto the Lords Justices that they were unserviceable, and that I had no power to train them and craved allowance to mend their arms for they were put under no Captains. But I had no answer from their Lordships, and upon the march they were assigned to Captains."

Such was Captain Cuny's explanation of the failure of the rearguard. His men were raw and badly armed and unused to Irish fighting. But he is very explicit as to the real cause of the general defeat:—"The Marshal himself always believing that the rebels would never fight with him and the disorderly march of the vanguard were our overthrow." The vanguard, he complains, marched so fast without any regard for the "batail" that when it was repulsed at the trench and thrown into confusion there was none near enough to second it. Then the Marshal fell and so the catastrophe ended: "Had the vanguard followed the direction which the Marshal gave himself and have made good the first entertained skirmish all the batail and the rear had come up to them and used our field pieces, which stood us in no stead because they were not used, as he himself assured us he could, had we done that he came for."

Captain Cuny winds up as follows:—"I hear that Sir Samuel Bagenal should say unto her Majesty that we were all cowards that were left alive. I think it were to put the blame from his kinsman. I am not used to write, but the very grief of my soul constraineth me." Poor Captain Cuny! He was a brave man, but could not resist this thrust at the Marshal's cousin, for to accuse a soldier of cowardice is like accusing a priest of heresy.

Thus ended the soldier's career of Sir Henry Bagenal. He died on the field of battle with his face to the foe; but the defeat of his army in effect rang the knell of Ulster and her princes. The Queen and Court of England had paltered too long with Ireland, and this tremendous blow awoke all the latent strength and determination of English statesmen. In future it was to be a fight to a finish, and the finish was both effective and heart-rending.

CHAPTER IX.

SIR HENRY BAGENAL'S MARRIAGE AND DESCENDANTS.

Sir Henry married, in 1577, Eleanor, third daughter of Sir John Savage of Rock Savage by Elizabeth, daughter of Sir Thomas Manners, of Rutland. His eldest son, Arthur, a minor at his father's death, became ward in 1599 of Sir Patrick Barnewall of Gracedieu, Sir Giles Merrick of Clandestry, Co. Radnor, and Sir John Savage. His mother subsequently married in 1602 Sackville Trevor, Esq., son of Sir John Trevor, of Trevallyn. The families became further allied when Arthur Bagenal married Magdalen, eldest daughter and co-heiress of Sir Richard Trevor of Trevallyn. The only issue of this marriage was a son Nicholas who married, in 1671, Sydney, daughter of Roger Grosvenor of Eaton, in Cheshire, ancestor of the present Duke of Westminster. The wedding took place at the house of her grandfather, Sir Thomas Myddleton of Chirk, Denbighshire. For a time Nicholas and his wife lived at Shrewsbury, as there are records in St. Mary's register of the burial of a daughter Jane in 1672 and of a daughter Catherine in 1673.

In 1686 he married secondly Lady Anne Charlotte Bruce, sixth daughter of the second Earl of Elgin. They had one child, Elizabeth, who married Revd. Henry Rowlands, author of *Mona Antiqua*.

Lady Anne was buried in St. Nicholas Chapel, Westminster Abbey, with her baby son who was overlaid by its nurse. Her will contained the curious direction without any explanation: "It is my desire that the heart that is in the urne (over the child's grave in the same chapel) be taken out and put into my body with mine and that the said urne be set over my grave." See Chester's *Westminster Abbey Registers*, 1876.

There is a curious incident connected with the fate of this child mentioned by Colonel Chester in his *Westminster Abbey Registers*. One Frances Dobbs, in her will dated 26 Sept., 1692, then of Greenford Magna, Middlesex, left all her possessions to Lady Anne Bagenal, the mother of the child, and requested that she might be buried as near him as possible. It seems probable that she was the unhappy nurse mentioned on the monument—a curious effort at reparation.

Nicholas Bagenal was Member for Anglesey in 1673 and died leaving no male issue, thus ending the male line of his family. By his will dated 13th November, 1708, he divided all his estates in Anglesea, Carnarvon and elsewhere in England and Wales, and also in Down, Louth and Armagh in the Kingdom of Ireland, to his cousins, Edward Baylie of Gorsewen in the Co. of Carnarvon, and Robert Needham, of the Isle of Jamaica. In 1715-16 a partition of the estate took place

by which Sir Edward Baylie took the Carlingford and a moiety of some townlands with the Welsh property, while Sir Robert Needham took the Newry and Mourne estate.

Sir Henry had other children as follows: Griffeth and John, who died without issue, and four daughters, Mary who married John Bodrille and Jane who married Robert Griffith of Plas Newydd. Eleanor married first Sir Robert Salisbury, by whom she had one son John who died unmarried, and secondly Sir Thomas Needham of Pool Park, Co. Denbigh, and Shenton, Cheshire, and of Pool Park, Derbyshire, brother of the 1st Viscount Kilmorey. Sir Henry's second daughter Ann married Lewis Bayly, Bishop of Bangor. He had come into England with King James I. and had been chaplain to both the King's sons and their tutor, and was made Bishop in 1616. In Southey's "Life of Bunyan" it is said that his wife brought him for her portion two books which her father had left her at his death, one of which was the Bishop's "Practice of Piety," which had been translated into Welsh, Polish and Hungarian. It was to a descendant of this marriage, Robert Needham of Jamaica, that Nicholas Bagenal by his will bequeathed a moiety of his Irish estates, which subsequently descended to the present Earl Kilmorey.

The Bishop of Bangor died in 1631 leaving two sons, Nicholas and John Baillie, or Bayly as it was alternately spelt. Nicholas was as active in the cause of King Charles I. as his cousins in Ireland, of whom more anon. For having been concerned in Col. Penruddock's rising in Wales he was pursued by Cromwell; but disguising himself as a servant he narrowly escaped being taken by a party of horse, Cromwell declaring "though he fled to the mountains he would make him as low as the grass." Nicholas was the person selected to carry the first news to Charles II. at Brussels of General Monk's marching a second time into the city of London, carrying with him a copy of the letter which Monk had sent to the Parliament demanding the summons of a new House of Commons. "On arrival at Brussels Bayly was introduced to the King by the Duke of Ormonde and found him and his small Court in the greatest consternation and dejection of mind. But this news gave the King a dawning of hope and he was much refreshed with this unexpected alteration and his dispirited family and servants were revived by it."*

Lord Clarendon observes in his history that "the time was so short from the hour that he (Bayly) left London that the expedition of the journey was incredible, nor could any man undertake to come from thence in so short time upon the most important affair and for the greatest reward, and that nothing but his own great devotion to the King could tempt to undertake so hazardous a journey. But the credentials which he brought with him removed all doubt."

This worthy scion of the old Marshal's family after this exploit became one of the gentlemen of the bedchamber to Charles II. His only son Edward was created a baronet; and his son, Sir Nicholas Bayly, M.P. for Anglesey, married

*See Longmate's *Supplement to Collins' Peerage*, p. 128.

Carolina, daughter and sole heiress of the Hon. Thomas Paget. His son, Sir Henry Bayly, 3rd Baronet, assumed the name of Paget and was created Earl of Uxbridge in 1784 and died in 1812.

CHAPTER X.

THE BARONY OF IDRONE, Co. CARLOW.

The County of Carlow formed part of the Kingdom of Leinster, which Strongbow enjoyed in right of Eva, daughter of M'Murrough the King, whom he married.

Strongbow's only daughter and heiress married William Marshall, Earl of Pembroke, who for 60 years after the conquest enjoyed possession of the whole of Leinster in peace. The Earl, however, suffered certain of the blood and name of M'Murrough to dwell under tribute in the Barony of Irone. Sir John Davis thus wrote of Strongbow's son-in-law: "This great Lord had five sons and five daughters; every of his sons enjoyed that Seignory successfully, and yet all died without issue. Then this great Lordship was broken and divided and partition made between the five daughters, who were married into the noblest Houses of England. The Countie of Catherlagh was allotted to the elder: Wexford to the second: Kilkenny to the third: Kildare to the fourth: and the greatest part of Leix (now the Queen's County) to the fifth. In every of these portions the coparceners severally exercised the same jurisdiction Royall which the Earl Marshall and his sons had used in the whole Province." These daughters married as follows: The first was married to Hugh Bigod, Earl of Norfolk; the second to Warren de Mountchesney; the third to Gilbert Clare, Earl of Gloucester; the fourth to William Ferrers, Earl of Derby; the fifth to William de Bravse, Lord of Brecknock.

Within 20 years after the Earl Marshall's death in the beginning of Edward II.'s reign, the head of the M'Murrough clan, left in possession of Co. Carlow by the Earl of Norfolk, kept that portion as his own and got possession besides of other large territories in Wexford.

Though small in extent the Co. Carlow was in early days one of the most important of the English settled counties in Ireland. Through it lay the road connecting the English Settlements in the province of Leinster, including the Pale, with the province of Munster, for in the early days there was no bridge over the river Barrow higher than at Leighlin, where Sir Edward Bellingham had built a Castle and Fort in 1548.

The Queen's Co. on the western bank of the river was then inhabited by the hostile and independent tribes of the O'Moores and O'Lalors and their sib-septs. The mountains of Wicklow and Wexford formed an impassable barrier on the eastern border, beyond which flourished the warlike clans of the O'Byrnes and O'Tooles. Whoever, therefore, held the passage of the Barrow commanded the most important strategic position in Leinster. From his strongholds on the hills

that approach the river a few miles away the head of the Mac Murrough clan dominated the situation, and was obviously a person to be considered by the English. So much so was this appreciated that since the days of Edward III. down to the end of the reign of Henry VIII. Mac Murrough had been paid a yearly stipend or black penny of 80 marks from the King's Exchequer for liberty for the King's lieges to go over the bridge at Leighlin. It was no doubt due to this subsidy that the Co. Carlow, as a general highway to the South, became at an early period a favoured and settled district. Indeed in 1435 according to a State Paper there were in that County 148 "castles and pyles defensible well ventyd bataylled and inhabyted." Assizes held. Many of these marked on an Elizabethan map still extant.*

During the Wars of the Roses the English power reached its lowest point of depression. The King's writ only ran in a district with a radius of 20 miles from Dublin, until Edward IV. gave the Earl of Kildare statutory powers to resume the titles and possessions of several counties in the Pale, including Carlow. This he successfully did and thus the House of Kildare rose to great eminence and authority in the Province of Leinster.

Amongst the lands thus temporarily acquired by the Earl of Kildare was the Barony of Idrone, but he did not disturb the Kavanaghs in their immemorial possessions, and they thus became his allies and retainers.

In the reign of Henry VIII. the statutory rights given to Kildare by Edward IV. were repealed and his rights to the estates of the English absentees in Co. Carlow were taken away and revested once more by statute in the King. (28 Henry VIII, c. 3, 1537).

A new era of Irish history commenced after the rebellion of Thomas Fitzgerald, the son of the Earl of Kildare was put down. The statesmen of England then turned their whole attention to the reconquest and reclaiming of the country. It was intended to replant the kingdom with new colonists and the scheme was aimed principally against the native Irish of Wicklow, Dublin and Carlow, who had been Kildare's allies. In Queen Elizabeth's reign Ireland shared with America the attention of the ambitious and enterprising, and any adventurer who would engage to plant the lands he might be granted was sure of a favourable hearing and support.

Amongst the earliest of the English adventurers in the 16th Century who cast their eyes towards Ireland as a suitable field for a settlement was Sir Peter Carew, a distinguished soldier, sailor, traveller and knight errant, who had visited most of the countries and courts of Europe and had a seat at Mohun's Ottery, Devonshire. He came to Dublin in 1568 and set up a claim to several Irish estates, including the Barony of Idrone in County Carlow. This was an extensive district, comprising a large part of the eastern side of the county of Carlow, lying along the river Barrow, bounded on the east by the course of the small river Burren, and measuring about 10 miles in breadth, and in length from the town of

*See the *Life and Times of Sir P. Carew*.

Carlow, its extreme northern point, to the town of Borris, its southern extremity (both lying on the Barrow), about 12 miles. At Leighlin, which lay half-way between Carlow and Borris, the Barrow was spanned by the important pass of Leighlin Bridge, then and long afterwards the only stone bridge across that river, leading from Dublin to the city of Kilkenny and so on to Munster. The only piece of the property that lay west of the Barrow was a small part of the Barony, now called Idrone West, known in the times we speak of as the Dullough, cut off by the Barrow from the rest of the county, and lying towards the county of Kilkenny. This part was very differently occupied from the rest of Idrone, from which latter cause flowed some very serious consequences. A large part of the barony, except the Dulloch, was occupied by the Kavanaghs, deducing their genealogy and race from Mac Murrough, King of Leinster.

Sir Peter Carew spent three months at St. Mary's Abbey in Dublin preparing his case. He found at once difficulty in getting legal advice, inasmuch as his claim was the first assertion of old dormant obsolete titles, which subsequently became frequent and culminated in Lord Strafford's forfeiture in Connaught. The case set up by Sir Peter was as follows: "It was alleged that on the failure of issue male of Strongbow, which occurred in the year 1245, the county of Carlow devolved upon Margaret Countess of Norfolk. It was alleged that the Countess of Norfolk granted the barony of Idrone to Digon, whose daughter and heir, Avice, married Nicholas Carew in the reign of Edward I., whereby the Carews became seised of the barony. It was shown that several of the Carews, Sir Peter's ancestors, had been called into the Court of Exchequer in Ireland to answer the rents and royal services due for the same. But it was in actual proof that since the death of Sir Leonard Carew in the 43 Edward III. (the year 1369), the lands were in the absolute possession of the Kavanaghs, and the payment of the rents and services by the Carews was no proof of occupation, being done probably to keep up their title and is quite consistent with their being out of possession then and previously."

The following are the terms of the verdict of the Dublin Courts on Sir Peter's claim:—

"Decree in a suit, in which Sir Peter Carew exhibited a bill of complaint against Moroghe M'Geralde Sutton, Brian M'Tonnach Moroghe Oge, of the Garquil; William Tallant of Agha; and Morroghe Oge, of Ballyloo, alleging that he the said Sir Peter, was, by just descent, seized in his demesne of the barony of Odrone, in the county of Carlow, and being so seized the defendants, without rights, or colour of any just title, entered into several lands, parcel of the said barony, rightfully belonging to complainant and wrongfully withheld the issues and profits, contrary to law and conscience; and as the plaintiff was remediless at law, and likely to be defrauded of his lawful inheritance, he prays the defendants may be summoned before the Deputy and Council to answer the premises. Three of the defendants, Morrogh M'Gerald, Moriertagh Oge, and Morietaugh Oge, of Ballyloo appeared, and answered, that their ancestors, and all

those whose estate they had, before the conquest, and since, had been successively seized of this, their lawful inheritance, and died so seized, after whose death the same descended to defendants, who were thereof seized as of their lawful inheritance. The complainant replied: and the Lord Deputy, departing on the Queen's service, committed the determination of the suit to the Lord Chancellor and Council; who, on hearing various proofs and allegations, and as the defendants produced no evidences or other title but claiming descent from Dermot ny Gall M'Morogh, who was, before the Conquest, King of Leinster, from whom they supposed themselves to be descended, which title, if it had been true, was not only by the conquest of the realm overthrown and avoided, but it appearing to the Court that this pretended title could in nowise be true, for Dermot ny Gall had but one daughter and heir, who was married to the Earl Strongbow, from whom descended divers noble men of England, of which stock the defendants were not come, but a wild Irish race and kindred sprung up since within the realm; and as the complainant proved that he was lineally descended from Dygon, who, long since the Conquest was Baron of Odrone, otherwise Hydrone, by evidences and records produced to the Court; and it being proved that divers of the Carews, ancestors of the complainant, were not only barons of Odrone, but were seized of the barony, and called into the Exchequer to answer the rents and royal services thereout due; and that divers of the Carews were, one after another, by lineal and immediate descent, seized of the barony, and in quiet possession, until the M'Morroghes, a rebellious nation of Irish people, in time of common rebellion, wrongfully and by force, seized the said barony and lands, and with strong hand, and without right or title maintained it; from which Mac Morroghes the present defendants are descended, but not born in lawful marriage, or legitimate by the laws of the Holy Church; with which the defendants being charged, could not prove the contrary; ordered and decreed, that the said Sir Peter, his heirs and assigns, should have and enjoy the said lands and barony, and the defendants were strictly commanded to suffer him to occupy and possess the same, without their disturbance or interruption.*

The success of Sir Peter's litigation was no doubt owing largely to political causes, the Judges being all anxious to forward English interests. It was the more remarkable however because the Dullough on the western side of the Barrow was in the possession of Sir Edmund Butler, brother of the tenth Earl of Ormonde, whose influence and protection he enjoyed. Nor was Sir Edmund a man to sit down tamely under a confiscation of property. As a matter of fact it drove him into rebellion, and was one of the causes of his joining forces with James Fitzmaurice against the English Government.

Mr. Bagwell in his *Ireland under the Tudors* gives his opinion on the Idrone case as follows:—"The ruling in the Cheevers case governed the others, and, Sidney having returned to his government, the Council assumed the power of dealing with Idrone. Three of the Kavanaghs appeared, but they had, of course,

*Calendar of Patent Rolls, Ireland, Vol. I., 311.

no documentary evidence to advance against Sir Peter, who was adjudged the heir of Dygon, Baron of Idrone, in the early part of the fourteenth century. Prescription being again altogether ignored, it was assumed as incontestable that Eva's marriage with Strongbow had carried the fee of Leinster with it. The Kavanaghs, descendants of the royal tribe, and by Irish law rightful owners of the land, were held common rebels and trespassers, and were strictly enjoined to allow Carew quiet possession. That the Crown had over and over again negotiated with the Kavanaghs, and had twice created baronies in their blood, was passed over as of no consequence. Most of the Kavanaghs bowed to fate, and accepted Carew as their landlord. The earth tillers had to pay him rent, but were not otherwise dissatisfied with him, for he maintained order in the district, and by the establishment of courts baron provided for the due course of local justice. But his name stank in the nostrils of those who had been accustomed to fish in troubled waters, the kernes and idlemen of Wexford and Carlow."

The Barony of Idrone was no doubt a very desirable property and one well worth fighting for. The description given of it by Sir Peter's agent and law adviser, Mr. John Hooker, is very graphic and will appeal to all who have personal knowledge of the County of Carlow:—

"The soyle and countrie of that barrony is very large and great, and yn all Europa not a more pleasaunt, sweeter, or frutefuller Land: the same being referted with all things necessarye for man yn any respecte, sirvinge for pleasure or neede, ffor huntunge the stagge, the hare, the fox, the wolff, for your pleasure at will: for hawkinge with all kinds of hawkes at partridge, rayle, feasant, crene, byttern, and a nomber of other foules as miche as can be wished and desired: ffor fyshinge, there is as miche as any fresh water can give: the seas ar somewhat dystant from this countrie of Hydrone, but yet on the one side a goodly river, called the Barro, fleeteth through the whole countrie, and this so serveth the countrie that upon it they so conveighe all their comodyties and marchaundyses from the sea or from Waterford, even to the house of Laghlyn, whose house staundet the full upon the said river."

Sir Peter Carew at once proved himself a man of action and a man of the world. He used the mailed fist against Sir Edmund Butler and fair words with the Kavanaghs who occupied five-sixths of the Barony. Queen Elizabeth appointed him Constable of the Castle of Leighlin, and there he lived some years on excellent terms with the natives and their chiefs. To the principle gentlemen of the Kavanaghs he gave freeholds. For the residue each took on lease the lands they had formerly occupied, yielding such rents, duties and services as it pleased Sir Peter to reserve. He was in fact courtesy and generosity and hospitality itself to his new Irish tenants, and as long as he lived there was no trouble about the land. They admitted his legal title and accepted a position which he made as easy as possible in the circumstances.

In Holinshed's *Chronicles of Ireland*, Vol. VI., p. 377, we find the following account of Sir P. Carew in 1576-7:—"At his first coming he resumed the whole

barony into his own hands, and thereof he gave some pieces in frechold, to such gentlemen as he thought good; and for the residue every of them what he held before he took it again under writing by lease. He divided the barony into certain manors and lordships and in every one he did erect a court baron, and there all matters in variance between them were ended and determined after the English manner according to justice and truth. He would not suffer any wrong to be done unto them, neither would he bear with any of them doing wrong. Their complaints he would hear and with indifferency he would determine them. He dwelled among them and kept a very liberal and bountiful house and such hospitality as had not been before known among them and for which he was marvellously loved and his fame spread through the land.

“ He kept continually of his own private family about or near 100 persons in the house. He had always in readinesse 40 horsemen well appointed, besides footmen and commonly 100 kernes, and all that his countrie at commandment by which means he chased and pursued such as lay upon the frontiers of his country, that they if any had offended, would come and submit themselves simply to his mercy: and the residue willing to serve him at all needs.”

“ If any nobleman or others did passe by his house there he first staid and was entertained according to his calling—for his cellar door was never shut and his buttery always open to all comers of any credit. If any garrison either came to assist or attend him or passed through his country he gave them entertainment and vitelled them at his own charges and paid ready money both for it and for all things taken of the country; for without present payment he would have nothing which was a rare thing and not heard of in that land. . . . In matters of counsell he was very grave and considerate, in matters of policy very wise and circumspect, and in martial matters very valliant and noble, and in all of great knowledge and experience; in every of which (as occasion served) his service was ready and at commandment, so long as his abode was in that land.

“ In the Butler wars, upon commandment from the Deputy he did first serve at Clogrenane, a castle of Sir W. Butler, where being accompanied with Captain Gilbert, Captain Malby and Captain Basnet and Henry Davels and their bands, assaulted the castle, took it, and gave the prey to the soldiers.”

When Sir Peter died in 1575 the situation changed rapidly and frequently. On the 9th December, 1575, Sir Francis Walsingham writes to Sir Henry Sidney: “ We have heard the news of the death of good Sir Peter Carew. Earnest suit is made here for the establishing and maintaining of his cousin Peter (whom he hath made his heir to his lands in that realm in the barony of Idrone), and forasmuch as it is given to understand that the same shall be hardly kept unless he have also her Majesty's Castle of Leighlin in keeping, as Sir Peter had. And forasmuch as I have learned, that the upholding of a true and trustie Englishman in those parts shall stand much to the advancement of her Majesty's service, as well as the repressing of the Irishrie in those parts, I am moved to be an intercessor unto your Lordship, that it may like you to shew him as much favour, as

well by placing him as aforesaid, as by aiding him with such persons as are meetest to hold him in his strength for the keeping of him in his inheritance, and to hold the country in good obedience."

Peter Carew the younger, was accordingly appointed Constable of Leighlin Castle, and so continued until his death in 1580, when he was killed by the O'Byrnes in battle in the glens of Wicklow.

George Carew, brother of Peter the younger, now succeeded to the lands of Idrone, but he sold his estate in 1585 to Sir Nicholas Bagenal on behalf of his second son Dudley, for a sum of £2,000, equal in purchasing power in those days to about £24,000, and this estate the Marshal bestowed upon his second son Dudley.

It is not often that the fortunes of a tract of land in Ireland can be traced through the hands of one family for nearly three centuries, notwithstanding the upheaval of two political revolutions.

Such however is the history of the Barony of Idrone from 1573 to the end of the 18th Century. During that period it was twice confiscated, and twice restored by the Crown to the descendants of Dudley Bagenal.

The exact boundaries of the Barony of Idrone have been preserved in such detail that they are worth setting forth. It appears that in 1572 a Commission was issued, in all probability at the instigation of Sir Peter Carew, with the result in the following terms:—

Commission to Francis Cosby, Seneschal of the Queen's County, Anthony Colclough, Henry Davells, Robert Harpoll, John Barry, Richard Gorsse, Richard Wodde, and Matthew Lynt, to ascertain the true and antient limits of the barony of Odrone, in the county of Carlow.—September 25, 14^o. Eliz:

The return of the Commissioners, stating that on the 3rd of October they had summoned the old, ancient, and expert gentlemen and freeholders of the barony, who, being sworn, affirm and testify as follows:—"The mear of Odrone begins west from Leighlin Bridge at Aghrynaslade, and along the little stream called Claishegarryenpunsell, which comes as it were from the west north-west from Garypunsel to the Ford, and from Garypunsel along the stream to Barne-namanny, in Sleate O'Man westwards, and from Barne-na-manrye westward to the seat of Moilglasse, and then to Beale-a-lackughe; from thence there runs a little stream northward called Killen-engill, which mears between the Dulloch and Iduff, unto Beale-a-forddirge, from Killen-engill northwards, and thence the stream of Killen-engill stretches unto the ford of Henrykeagh, and from thence upon the mountain northward to the ford of Uskie-na-goare, leaving Dirrie-monetoigne upon the left hand, as you go directly from the ford of Blind Henry unto the waters of Goates, and thence runs eastward the same water of Goates until it enters the stream called Finshoge, and from thence to the Barrow, which mears unto Catherlogh (Carlow); and at the latter place the stream of Burrin environs O'Drone eastward and east south-east throughout, and by the whole until you come unto the very place whereout Burrin springs, which is called Stirkally,

and from this spring unto Mamesowdey to a bog called Askaghe-na-Moingane, and from hence to a small brook which runs to the ford of Agh-na-Castaghe, from thence to the stream of Kynkine, thence to Mainc-en-Maister, thence to the ford of Fynnoge, and from the ford there stretches a ditch called Askagh-na-laye, thence to the sallo of the White Horse called Silloge-en-eighe gill, thence to the fastness of the Boar, or Dangan-na-killy, thence to Donyll More's well, and from the well through the middle of the Black Bog till you come to Shroghanegloragh, which runs westward to the Barrow; and so the Barrow is the mear to the ford of Rowse, and there is, as it were, a ditch which mears between the Bishop's lands and the lands of Odrone, extending from Pol-na-fernoge unto and between Corane MacCraghe and Cranoge, and from thence the ditch stretches to Lough Peast, or the Pool of Worms, to Lestynanbeg, which is of Odrone and Lestynanmore, is of the Bishop's lands; from thence the ditch runs to Kiltacke and Kilrowx, and so to the Ivy rath, called Rahynenynan, and unto Aghe-mony-bege, which joins the Barrow, to Leighlinbridge, on which is the ford or slade of Agh-ry-na Slade aforesaid. Oct. 11, 14^o. 1572*

It would be interesting if some Celtic scholar would give the meaning in English of the Irish place names, which sound so rich in local allusions.

*Calendar of Patent Rolls, Ireland, Vol. 1., p. 541.

CHAPTER XI.

DUDLEY BAGENAL.

Dudley Bagenal the new owner of the Barony of Idrone differed widely from Sir Peter Carew in temper and character. The old adventurer had seen much of the world and was therefore free from many of the prejudices of the times affecting Ireland. He had so endeared himself to his new tenants that once, when he had been absent in London, a rumour that he had sold his estate in Idrone so disturbed them that they declared they would pay rent to nobody else. "Your tenants," writes Hooker, "do verily refuse to take any estate at all, other than at your own hands . . . because they are informed that you do minde and intend to sell or conveighe the same to some one of the Earls of this land, which, if you should do so, then, besides the rents which you compounded, they shall stand at such devotion (i.e., in such thralldom), as which they do curse the time to think upon. . . . But assuredly, if you do mind to come over yourself, you shall be assured to set the same at such rate, price, and rent, as you will yourself: for so as they may have you to be their defender, and to be free from such governors as they fear to offend, they care not how far they do strain themselves."

Dudley Bagenal had been nursed up in conflict with the native Irish in Ulster. He had been bred a soldier by his father the Marshal, and had not apparently been given the education at a University which his brother Sir Henry Bagenal had enjoyed. The first mention of Dudley's name (a name given by his father no doubt for the sake of his patron, the Earl of Leicester) occurs in the State Papers in March, 1586, where he is mentioned as a captain of footbands serving in the country pay, with certain entertainments from Her Majesty, with four others, by name, Captains Richard Ovington, Piers Ovington, William Bowen, Rice Ap Hugh, and John Parker. The entertainments amounted to £534—16—10 and the fourth part of a farthing. The next mention is in the same year when Sir N. White, the Master of the Rolls, writes as follows to Burghley, alluding to the bad feeling between the Marshal, Sir Nicholas Bagenal and Sir John Perrott. He says: "The disagreement of our two chieftest officers will work I fear some ill effect to the common tranquility, for even yesterday at the committing of Dudley Bagenal, second son of the Marshall, for breaking the Lord Deputy's letters of commandment for his appearance to answer a poor man's complaint, and beating of the party that delivered them, the Lord Deputy and the Chancellor squared in opinion touching his commitment."

There are several other allusions in the State Papers which prove Dudley to have been a very headstrong, hot-tempered, and violent man. Sir Henry Wallop

writing to Walsingham in 1585 mentions some "very hard reports of Sir Henry Bagenal," and adds "his brother Dudley is a very rash foolish fellow." Again Captain Harry Lea in the same year, writing to Walsingham, remarks as a piece of gossip: "Captain Dudley Bagenal has borrowed a round blow on the ear of Sir W. Stanley."*

Such then was the man who succeeded Sir Peter Carew as owner of an extensive tract of country occupied by some leading gentlemen of the Kavanagh Clan and their followers, who had been deprived of possessions and property enjoyed by them for several centuries, and who were prepared to "keep a firm grip of their holdings" as long as they could. Sir Peter, as we have seen, confirmed the principal Irish gentlemen in their possessions, and did not seek to remove any of the inferior families from their holdings, but made them tenants by lease. Dudley, determined to alter all this and to harry the principal Kavanaghs out of their lands, seems to have begun operations very shortly after he took up residence as Constable of Leighlin Castle, which was situated on the only bridge which at that time crossed the Barrow. Certain it is that eighteen months after he came to the County of Carlow he lost his life in what was practically a blood feud with the Kavanaghs. The details of the occurrence are given with some fullness in the State Papers, which proves that a local quarrel, in this instance, had some political importance.

The news of his son's death reached Sir Nicholas Bagenal in March, 1587, and he immediately sent an account of it to Burghley, which runs as follows:—

"Sir Nicholas Bagenal to Burghley. March 26, 1587. Upon Tuesday last the 21st of this month, my son Dudley Bagenal, issueing forth of Her Majesty's Castle of Leighlin, whereof he was then Constable, to the rescue of some of Her Majesty's subjects which were greatly distressed by a notorious rebel, one Walter Reaghe, a Geraldine, was suddenly encountered by a great number, which the rebel had laid in ambush for that purpose, and there being forsaken by most of his company, he himself with 16 of his own men were all (after long fight) slain by the enemy. And although (I must confess) that fatherly affection doth in some sort draw me to bemoan this hap of my son, yet when I do consider how he did valiantly both receive and revenge his death in Her Highness service, I do scarce wish his life, of which if he had had as great regard as of his honour, he might very well have escaped, as many others did, whose feet at that time, and not their hands, saved their lives. Resting doubtful whether his son were ward to Her Majesty or no, in regard both to the manner of his death, being left dead in the field, and that I had greatly indebted myself to procure him some living, the better to enable him to continue in Her Majestys service, I was emboldened to be a petitioner to the Lord Deputy (i.e., Perrot) for the wardship of the child, which his Lordship did flatly deny, alleging that he had already disposed of it, which your Lordship may well judge what comfort men have to venture their lives under his government. Wherefore I most humbly beseech your honour to

*Cal. S.P., 1574-85.

be a mean unto Her Majesty that it may please her of her wonted goodness, to bestow on me the wardships of the child, to his own proper use, as Her Highness most honourable reward for the blood of his poor father, at many times, and now all at the last spent in her services."

This letter, naturally enough, is a very one-sided account of the affair. It makes no mention whatsoever of the provocation given by Dudley, but endeavours to cast the blame upon a very well-known Geraldine, one Walter Reagh, famous in those days for warlike feats, who had been called in to assist the Kavanaghs in their private quarrel with the Bagenal family.

Sir Nicholas Bagenal's letter is very characteristic of the Tudor days, both in the grim satisfaction he displays at his son's fighting qualities and in his eagerness to profit by the gaining of the wardship of his grandson, in those times a desirable pecuniary and territorial advantage. The letter, however, is supplemented by another written at the same time by a resident in the County, Mr. Henry Sheffield, who as it happened lived at Fenagh, "within a mile and a half" of the ambush which was laid at Ballymoon by the Kavanaghs for the rash and indiscreet Dudley:—"March 29, 1587. Fenagh's Court in the Co. of Carlow. Henry Sheffield to Burghley. As I am to yield your honour most humble thanks for all the benefits I have already received at your honours hands, so am I now most humbly to beseech your honour to desire Sir George Carew that for your honours sake and for that he hath had good trial of an honest dealing heretofore, he will make me his Deputy in Her Majesty's house at Leighlin, where he is now Constable by the death of Dudley Bagenal, who had it of him, if it may please your hon lordship to move Sir George Carew of it, I doubt not but that he will not only admit me his deputy, but also let me have it with more favour than otherwise he would. Mr. Bagenal after he had bought the Barony of Odrone of Sir George Carew could not be contented to let the Kavanaghs to enjoy such lands as old Sir Peter Carew, young Sir Peter, and last Sir George Carew were content they should have, but threatened them to kill them wheresoever he could meet them. As it is now fallen out about the last of November one Henry Heron, son to Sir Nicholas Heron, being brother-in-law to Mr. Bagenal, having lost 4 kine, making that his quarrel, he being accompanied with divers others to the number of 20, or thereabouts by the procurement of his brother-in-law, went into the house of Mortagh Oge (Kavanagh) a man of 70 years old, the chief of the Kavanaghs, with their swords drawn, which the old man seeing, for fear of his life, because he and all his were threatened by Mr. Bagenal, sought to go into the woods, but in the end he was taken and brought before Mr. Heron, who charged him that one of his sons had taken away the aforesaid cows. The old man answered that if he had he would pay for them. Mr. Heron would not be content, but bade his men to kill him, he desiring to be brought to be tried at the Sessions. Further the morrow after they went again into the woods, and there they found another poor old man, a servant of Moriortagh Oge's, and likewise killed him. Mr. Heron being demanded why he did not bring him to

law, he answered that he killed him because he would not confess his cows.

“ Upon these murders two sons of Moriortagh Oge’s, the one that is called Donough Carogh, and the other young Mortough, have gotten them some bad fellows to the number of 20 or thereabouts to seek to revenge their father’s death. The 21st of this present they came to a place in Odrone called Balemowan (now Ballymoon) within a mile and a half of my house, and from thence they took the prey of the town, but with 2 horsemen and 6 kerne, and 4 ‘stocores,’ supposing that Mr. Bagenal would follow them, where they had laid the number of 40 more in a secret ambush: so Mr. Bagenal following more upon a will than by discretion, fell into their hands, where he was slain, and 13 more, whereof 8 of them were of the ward of the house of Leighlin. He had 16 wounds above his girdle, and one of his legs cut off, his tongue drawn out of his mouth and slit as some of the women confessed who put him in his winding sheet.

“ There is not one man now dwelling in all this country that was Sir George Carews, but everyman fled and left the country waste, and so I fear me it will continue now, the deadly feud is so great between them. I am the nearest neighbour to the country and to all those parts. If it shall so happen that any soldiers be sent into the land, as it is here reported there shall, I beseech your honour to be a mean that some of them may be assigned to be under my leading, whereby Her Majesty shall save 4/- sterling a day which I have. If they be sent hither and at my Lord Deputy’s disposing, he will bestow them on his own man before any other.”

No better example than this letters affords could be given of the lawlessness and violence of the Tudor days in Ireland. The brief but graphic picture of the murderous and unprovoked attack by the Englishmen upon the home of the aged Irish Chief and his servant: their escape into the woods (which at that time covered the country between Fenagh and the mountains): their capture and cold-blooded murder: the excuse given that the victim would not confess to the cattle-lifting, all these incidents were common throughout Ireland in the days when the arbitrament of the strong hand ruled both English and Irish. Small wonder at the consequences. The Kavanaghs swore a bloody revenge for their father’s death, and the horrible details of Dudley’s end prove how faithful they were to their oaths.

There are two more letters on the death of Dudley which contain some further information. One is dated 26th March, 1587, to Sir George Carew from Adam Loftus, Archbishop of Armagh and Chancellor of Ireland, whose son, Dudley, married Ann, daughter of Sir Nicholas Bagenal. He says:—“ I am sorry to have to state that on Tuesday last Dudley Bagenal was slain by Walter Reagh, to the great grief of his father and friends. The cause that I write unto you is chiefly concerning the state of the bargain betwixt Dudley and you. I have seen covenants of yours, for performance whereof you are bound in great sums of money, especially that he and his assigns should enjoy the Constableness of Laughlin during your interests. I recommend Mr. Marshall (Sir Nicholas

Bagenal) who is willing to undertake the payment of the money. I am forced by divers causes to be the more earnest, chiefly that there grow no unkindness between Mr. Marshall and you, so, as he may draw back from performance of his covenants again, that you add not to his grief a new matter, which no doubt would greatly disquiet him. It has proved a hard bargain to this poor gentleman and his children. Rathfarnham."

The other letter is from the Lord Deputy, Sir John Perrot, to Sir George Carew. He says: "Six days past certain of the Cavaners took 30 kine at Idrone which Dudley Bagnall bought of you. The said Dudley being a very inadvised man, as I told you, went forth with 18 or 19 bad fellows, almost all Irishmen, and came up with the robbers at Shilela, where they were attacked by Walter Reaghe, and Dudley was slain. This arises from his not keeping the proper number of English and hiring poor Irishmen in Laughlin at 40/- and £3 a year, putting the rest of the entertainment in his pocket. 25 March, 1587."

These letters contain some points worth noting. It is evident from the Archbishop's letter that Dudley Bagenal was very dear to his father and his circle of friends, and was greatly regretted. On the other hand Sir John Perrott endorses the opinion of others that he was a rash and "unadvised" man. Of course, Sir John had a feud of his own, as we have seen, with Sir Nicholas, so that he was not likely to say much that was good of the son. But his statement that Dudley was "unadvised" is proved by his information (no doubt obtained through good sources) that when Dudley set out to follow the cattle-lifters, his band of followers consisted principally of Irish who fled when they fell into the ambush at Ballymoon, probably concealed in the Scalp Rocks,* and left their leader and his few English soldiers from "the ward" to maintain an unequal contest with their enemies. "The hireling fleeth because he is a hireling," and on this occasion the hired kerne were probably at heart in sympathy with the Kavanaghs.

Dudley married first Katharine, daughter of Patrick Nangle, known as Baron of Navan, a Catholic of an old Irish family. By her he had one son Nicholas, who was left fatherless as we have seen while still young and became a ward of his grandfather and namesake. Nicholas married Ann, daughter of Sir Thomas Colclough, of Tintern Abbey, Co. Wexford. Nicholas was killed in a duel in Dublin in 1607 and was buried in Christ Church, leaving an only daughter Mary, who subsequently married her cousin, Mr. Samuel Loftus. Of Nicholas we know little. He matriculated at Oriel College, Oxford, in 1597, at the age of 15,

*In 908 A.D. the Monarch Flann, aided by the Monarchs of Meath, Ulster, Connaught and Leinster collected a powerful army for the invasion of Munster and marched into Leinster, but Cormac Mac Cuillionain collected the great forces of Munster and Ossory and fought a tremendous battle at Beallach-Maghna, Co. Carlow, in which the Munster army was defeated. The battle was fought on Tuesday, 16th August, and the place is now known as Ballymoon, on the way from Bagenalstown to Fenagh, where stands the ruin of an old Norman Templars Castle. King Cormac Mac Cuilleonain who led the Munster Army was killed in the fight. He was not only King but Bishop of Cashel and famous as the author of the Psalter of Cashel. (See *Annals of the Four Masters*, Notes on page 196 by O'Donovan and Dr. P. MacDermott.)

and became Constable of Leighlin Castle with a fee of 3s. a day and 20 men for its defence at 6d. a day each. He was the last of the family to hold this office. As Constable he was entitled to reside in the Castle, but he also appeared to have lived at Ballymoon Castle, as he is styled " of Ballymoon " in his will of June 17, 1607. He was admitted very generously by Sir George Carew into all the benefits of his contract of sale with Dudley for the Barony of Idrone. The following is Carew's letter to Lord Mountjoy on the subject :—

Lord Deputy.—" It may please your Lordship, the Constablenesship of Leighlin being past unto me from her Majestie, by letters patent, during my life, I did, by the allowance and consent of the then Lord Deputy and Council, convey over an estate thereof, as also of certain lands annexed thereunto—for which there is a great rent reserved to her Majestie, together with the inheritance of the barony of Idrone, which neighboureth the same—to Dudley Bagenal, who, accordinge to his bargain with me, entered and was possessed thereof; but before he obtained any patent thereof in his name, he was unfortunately slaine, and then my title began again in force; the same reverted to me, and I conveyed the same a second time to Ralph Bagnall, his brother (? uncle), who also died before my patent was surrendered; so as it reverted to me againe. Sir Henry Bagenal, in my absence in England, entered thereunto and enjoyed the profits thereof during his life, and all that time never paid her Majestie the growing rent due out of the lands annexed to the constablenesship, but left the arrearages chargeable ypon me, who, as Constable—my patent being still in force—was, therefore, answerable. Upon notice whereof, when I was with your Lordship at Kilkenny, I prayed your Lordship's warrant to possess me of the said house and lands of Leighlin, whereunto I was only patentee, which I humbly thank your Lordship you were pleased to favour me withall, and by virtue of your warrant, Nicholas Heron, my Vice-Constable, still continueth in the same; upon which my entry, this young gentleman, Master Nicholas Bagenal, son and heir to Dudley, to whom I first made sale thereof, came unto me and besought me that he might have the benefit of the bargain, and what I intended to pass unto his father, which, although by law he could not challenge, yet I being, as I conceive, tied in conscience to accomplish that to the son which I at first intended to the father, and withall perceiving this gentleman to be of a good, forward spirit, his principal living and fortune depending hereupon, without which the barony of Idrone could do him little good, neither the constablenesship be well maintained and supported except the office and barony were both in one man's hands, I was contented—so he would clear me of the arrearages—to surrender my whole estate therein; and forasmuch as he has now brought a discharge of the arrear out of the Exchequer, I humbly beseech your Lordship to cause my old patent to be called and made void, so as the same may be past, by new letters patent, to the said Nicholas, to which effect I hereby signify my willingness and full consent, praying also your Lordship to

give special order that the lands belonging to the abbey, whereon the castle is built, which lie near the house of Leighlin, and are but small, may not be divided from the house, but granted by new lease to the Constable, lest by disposing of them to a stranger controversies might be nourished, and thereby her Majesty's house endangered; which of my knowledge of the place, and the apt continuing of that small parcel of ground unto it, I have presumed to make known to your Lordship, lest hereafter quarrels should grow between the constable and any other that should become her Highness's farmer thereof, which indeed is fitt for none but for the constable. And so humbly recommending the young gentleman and the speedy despatch of his patent to your honorable favour and good regard, which I presume his future services to her Majestie will merit, whereof his forwardness in his youth give good hope and testimonies; praying your Lordship to give him warrant to remove my Vice-Constable, when his patent is sealed, I doe humbly betake your Lordship to the everlasting protection of the Allmightie. From the camp at Carewcastle, the 26th May 1602.

“ Your Lordship's faithfully reddie to doe you service,

“ George Carew.”

“ To the Right Honourable my very good Lord, the Lord Mountjoy, Lord Deputy-General of her Majesty's realm of Ireland.”

Upon the death of Nicholas his wife married Sir Thomas Butler, of Clogrenane Castle, and as the Butlers lived only a few miles up the river Barrow she had not far to go for her second husband and place of residence.

Dudley's second wife was Mabel, daughter of George Fitzgerald of Ticoghran Castle, Co. Meath, also a Catholic, and of Anglo-Irish extraction. By her he had three children. The eldest George married, first, Jane, daughter of Garrett Fitzgerald of Kilkea, Co. Kildare, a member of the great Anglo-Norman Geraldine family, by whom he had no issue. His second wife was Joan, daughter of Sir Walter Butler of Kilcash by Ellen, daughter of Edmund, second Viscount Mountgarrett. Sir Walter ultimately became the 11th Earl of Ormonde and grandfather of the Great Duke of Ormonde. George had a large family by his second wife, viz. :—the eldest, Walter, of whom much will be written: Thomas, Nicholas, Dudley, Devereux, Henry, Mary, Mabel, and Randolph; all these, except Thomas and Henry, seem to have died unmarried or young. Thomas lived to become a Colonel in the Leinster Army of the Confederate Catholics, took an active part in the rebellion of 1641, and was deported to Connaught by the Cromwellian Government,* with an afflicted younger brother.

Dudley Bagenal had one other son, named Adam, of whom nothing is known,

*See the list of transplanted Irish in Connaught in 1655-59, giving an account of lands set out to the Irish transplanted in that province.

and a daughter Eleanor, who married, first, Sir Thomas Colclough of Tintern Abbey, and, secondly, Luke Plunkett, Earl of Fingall.

When George Bagenal succeeded his half-brother Nicholas to the Barony of Idrone he found himself ousted from the Constablership of the Castle at Leighlin Bridge, which had hitherto been the family residence in the County, and he settled at Ballymoon, at the very spot almost where his father was killed. Most probably he occupied the large building, ruins of which still exist, that was erected by the Knights Templars, and was a place of defence not far from Dunleckney, where ultimately George built the family mansion which stood for 250 years. But in the records of the time he was styled as "of Ballymoon." Although the barony of Idrone was devised to him by his brother's will, he received a subsequent and first grant from King James I. dated 6 May, 1610.

CHAPTER XII.

UNDER THE STUARTS. — WALTER BAGENAL.

Under the Tudors the success of the Bagenal family had been considerable. By grants from the Crown or by purchase they had acquired large estates and had gained power both political and military. The second generation had married into the old English Catholic families and had been absorbed into the social and religious environment of a pleasant and free community. They talked the Irish language as well as English and had become Irish subjects loyal to the Throne of England.

The Reformation had made little headway in Ireland. All the older English families held to the ancient faith, and, as has already been shown, Sir Nicholas had married several of his daughters to excellent Catholic matches.

George Bagenal married, first, Jane, daughter of Garrett Fitzgerald of Kilkea, Co. Kildare, who died childless, and, secondly, Joan Butler, fourth daughter of Sir Walter Butler of Kilcash, who subsequently became the 11th Earl of Ormonde, a man so devout a Catholic that he was known as "Walter of the beads and rosaries." The eldest son of this latter union was named Walter after his grandfather and was brought up a Roman Catholic. George died in 1625. Born 27th January, 1614, young Walter entered the world when affairs of State were big with momentous events. The Puritan spirit was approaching its highest vigour in England and Scotland, and though Ireland was to enjoy peace for 27 years to come, the storm was gathering in England which was to burst with such destructive force in the early forties of the 17th century.

It would be impossible to deal with the history of the Civil wars in Ireland in a family narrative such as this, but it is desirable to sketch broadly the general position at the beginning of the troubles in 1641. Strafford was sent to the Tower in 1640 and executed in 1641. Before leaving Ireland he had, at the instigation of Charles I., raised an Irish army of 9,000, which was designed to crush the Protestant opposition in Scotland and England. This was the germ of the fatal policy which ruined Charles in England and the Catholic party in Ireland. It alarmed the English Parliamentary party more than anything else. During Strafford's last Irish Parliament the Roman Catholics had sent missions to London to complain of his high-handed measures which threatened their property and the exercise of their religion. His severities had excited general discontent and augmented the feeling of insecurity. Pym and his associates were afraid that Ireland might be converted into a Royalist stronghold where the King could recruit a Papist host to crush the budding liberties of England. It was this that killed the final Roman Catholic mission to London in 1641, headed

by Lord Dillon, and lay at the bottom of all the subsequent hostility of the Puritans to the Irish who supported the King.

In County Carlow the powerful clan of the Kavanaghs had for centuries been a thorn in the side of the English, and even as late as 1604 Sir William Davies on his assize found that Carlow and Wexford were infested by a band of 100 kerne; Donnell Spaniagh Kavanagh and Feagh MacHugh O'Byrne being at the bottom of the mischief.* It appeared then that there had lately been a Conference at Carlow between the Earl of Tyrone, Lord Mountgarrett (who had married his daughter), the O'Byrnes, and Donnell Spaniagh, so it is clear that so far back as 1604 some of the Pale Catholics had been in close political touch with the Ulster men.

Besides the unsettlement and discontent of the Catholics there was another grave danger. Bagwell points out that as early as 1611 Sir George Carew had foretold that the dispossessed natives of Ulster would some day rebel, that there would be a war of religion, and that the Protestant settlers would be surprised. The Irish exiles in the Spanish service had ever since been a source of apprehension, and abortive plots were laid from time to time, both in Spain and the Netherlands, and Clarendon thought much mischief was done by the Committee from the Irish Parliament consisting mostly of Catholics who were subsequently the most active in rebellion. In July, 1640, a cipher code was established between Sir Phelim O'Neill in Ulster and Owen Roe O'Neill in Flanders, who received a visit from Hugh Mac Phelim, afterwards one of the rebel leaders in Ireland. O'Byrne observed that they were risking their lives daily to "succour a scabbed town" for the Spanish King, and that they would be no worse off fighting for their own country. It was believed that Ulster and Munster would join together. Nor was the English Government without suspicion, for Vane, by the King's orders, warned the Lords Justices (in Ireland) that an unspeakable number of "Irish Churchmen had passed from Spain to England and Ireland, and some good old soldiers, on pretence of recruiting; but that rumours of a rebellion, especially in Connaught, circulated freely among the friars."†

When English Government, based on prerogative and on its connexion with the English hierarchy, fell to the ground, Ireland awoke to new conditions. The revolution in England entailed extraordinary results. The masses of the Irish people were Roman Catholic. The Protestant settlers consisted of Scots in the North and the old English scattered elsewhere. The Irish Parliament, the highest authority, was divided against itself, composed, as it was, of half Roman Catholics and half Protestants. Suddenly finding the bridle of Strafford broken, the attempt was at once made to unseat the British rider altogether..

It is an example of life's curious ironies that a man descended from an English Tudor settler of Protestant faith should have become absorbed into the Catholic

*Bagwell. Vol. 1, p. 42. *Under the Stuarts*.

†See Bagwell's *Ireland Under the Stuarts*. Vol. 1, p. 315.

Petty in his *Economic Writing* estimated the Irish population at 1,400,000. Vol. 1, p. 149.

Community of Ireland, should have spent the best years of his life, and come by his death in direct conflict with the Protestant and Puritan spirit of the country of his origin.

Walter Bagenal married Elizabeth, widow of John Plunket of Dunshoghly, Co. Dublin, and daughter of Christopher Roper, third Lord Teynham. By her he had four children—George,* who was killed when a youth in 1650 during the Civil Wars; Dudley, Henry, and Katharine, of whom some strange, eventful happenings will be told in subsequent pages.

After the failure of the conspiracy to seize Dublin Castle on 23rd October, 1641, the Lords Justices, then practically the Executive, issued several commissions for governing counties, and Walter Bagenal, probably owing to his connection with Ormonde, was appointed Governor of the County of Carlow. From the very first, therefore, circumstances placed him in a favourable position to act against the Government in Dublin, and he was assisted in Kilkenny by Lord Mountgarret, who had been similarly made Governor of that County, where he had a numerous following.

Walter was only 27 years old when the Great Rebellion of 1641 broke out in Ireland. He had apparently every prospect of happiness. He was young, not long married, possessed of an estate which was measured by miles instead of acres; he was established in a new home at Dunleekney, built during the 40 years of peace which marked the beginning of the 17th Century, when suddenly the world's history for him was changed. He became immediately and deeply involved in the politics and military operations of the next 12 years, until a tragic death on the scaffold ended his career at Kilkenny in 1652.

By reason of his Catholic upbringing young Bagenal found himself bound up in the fortunes of the old Catholic Anglo-English families of the Pale, with whom four of his aunts had intermarried. He was thus connected by blood with the Barnewalls, the Plunkets, the Nangles, the Fitzgeralds, the Butlers, and the O'Mores, all people of the highest influence in the Province of Leinster.

The immediate result of the Rebellion of 1641 was that at least five Irish parties sprang into existence, all aiming at certain common objects, nearly all loyal to the King, and opposed to the Puritan movement, but suspicious of each other and not agreed upon the best methods of procedure. These parties may be briefly described as follows:—

1. The native Irish of Ulster represented the extreme Left of the movement, whose idea was ultimate separation from England and the erection of a Roman Catholic State. In this the Ulstermen were assisted by Spain more particularly, and by the Pope, who deeply sympathised with the Irish and subsidised their movement against the English Parliament.

*A letter from R. Bellings to Ormonde, dated Loughrea 12 May, 1651, says:—"Young George Bagenal, Watt's son, who roused by the heat of youth and height of courage rashly to break from his company in pursuit of an officer of the enemy whom he killed at the Castle gate of Inniscorthy was in coming off shot dead upon the place." *Carte*.

2. The Roman Catholic nobility and gentry of the Pale, loyal to the sovereignty of England, who organised themselves in 1642 under the control of the Supreme Council of the Catholic Confederation, with headquarters at Kilkenny and served by an army commanded by Lord Mountgarret and afterwards by General Thomas Preston, uncle to Lord Gormanston.

3. In Munster Lord Muskerry and Lord Inchiquin, and in Connaught Lord Clanricarde had more or less independent spheres of activity, though generally in sympathy with the Pale, and loyal to the Crown.

4. The Marquis of Ormonde, Lord Lieutenant of Ireland, occupied Dublin, and though at first acting under the orders of the English Parliament, soon headed the King's forces in Ireland that had taken no part in the Rebellion. The Ormonde party therefore was obliged to hold a hostile attitude to the originators of the Rebellion on the one hand, and when the Puritan party got the upper hand in England to oppose it in Ireland on behalf of the King.

5. Finally there were the Protestant Scotch and English settlers in the North-East of Ulster, who were shortly afterwards reinforced by Scottish troops under Monroe and Leslie. These were on the side of the Puritan movement and against the revolting Irish parties.

It would be difficult to imagine a more complicated problem than the Irish question at this crisis. But as far as the fortunes of the Bagenals were concerned they were fixed irrevocally with the fate of the Catholic Confederation.

No better sketch of the Irish Confederation of 1641 could be given than that of Sir John T. Gilbert. He says:—"The main objects of the Confederates according to their own statements were to defend themselves against attacks from the Puritans, to maintain the prerogatives of the Crown, as well as the privileges and rights of the Irish Parliament: to reinstate the Roman Catholic Church throughout Ireland as it stood in the reign of Henry VII. and to annul all penal laws against its members. Declaring by public oath their allegiance to the King (Charles I.) but resisting the authority of the English Parliament, the Confederates, through their Supreme Council, organized forces, nominated Commanders and officials, collected the public revenue, levied taxes, minted coin, treated with foreign powers, and governed a considerable part of Ireland. The administration thus established was maintained for years by the Confederates in Opposition to the Government at Dublin and its army, which were aided by the English and Scotch settlers in Ireland, and those associated with them, as well as by large military and naval forces from England and Scotland."

No better example can be given of the complicated political circumstances of the times than the position of the Earl of Ormonde, afterwards Lord Lieutenant, who at that time was living in Dublin Castle, commanding the military forces there and opposing the Confederates with all his energy and diplomacy. There was an engagement, the first in this internecine conflict, at Kilrush in the Co. of Kildare, in May, 1642, which ended in a complete victory for Ormonde's troops. Sir Maurice Eustace, Sergeant at Law, and Speaker of the House of Commons in Ireland, in a letter of the time referred to the difficult circumstances in which the Earl of Ormonde,

who commanded on this occasion, was placed in opposing many of his own relatives:—"In this battle," says Eustace, "he (Ormonde) had to deal with his great uncle, Mr. Richard Butler, the Lord of Ikerrin, married to his aunt, and the Lord of Dunboyne, his near kinsman, Tibbet Purcell, commonly known by the name of Baron Loghmoe, who is married to his Lordship's aunt, and whose son and heir is married to his Lordship's sister; and young Walter Bagenal, who is cousin-german to his Lordship."*

As will be seen, although opposed in religion the cousins were on the best of terms throughout the war, and as time went on Walter reflected in his action the policy of Ormonde.

As far back as November, 1640, Walter Bagenal had received orders from Ormonde to occupy the fort at Leighlin Bridge, which held the only bridge over the Barrow, and this he did for two months. He then appointed a member of the Butler family in his place for two months. Butler was replaced by Walter's brother Henry and Charles Dempsey, a leading man in the neighbouring Queen's County, who held the fort until March, 1641, when Walter and Sir Morgan Kavanagh were appointed joint Governors of the County Carlow. About Michaelmas, 1641, Walter broke up housekeeping at Dunleckney and from thence till his death only lived there from time to time as occasion offered. He was too deeply engaged in the rebellion to have a settled home.

When the Catholic Confederation was organised at Kilkenny with a Government consisting of a Legislative Assembly and an Executive Council, Walter Bagenal sat as representative for the County of Carlow, while he was also a member of the Provincial Council for Leinster. In the Leinster Army of the Confederates he had the command of a regiment of horse. His name appears frequently in the military operations of the period and, having large estates and the command of Leighlin Bridge and Castle close at hand on the Barrow with a garrison, he occupied a prominent position in the councils of the party. From the moment that he entered the stormy scenes of 1641 to the day of his death he was unceasingly engaged in the mixed occupations of war and diplomacy.

The most intimate friend and kinsman of Walter Bagenal was Richard Bellings, Secretary to the Catholic Confederation—one of the most cultivated Irishmen of his day. While a law student at Lincoln's Inn he evinced a love of literature by writing a sixth book to Sir Philip Sydney's "*Arcadia*," which was printed in 1628 and appended to the various republications of that work in the 17th and 18th centuries. Bellings came of an ancient Anglo-Irish family long settled in Leinster, where he inherited considerable estates from his father, Sir Harry Bellings. By his marriage with Margaret, daughter of Richard, 3rd Viscount Mountgarrett, he became closely associated with the most important of the Anglo-Irish nobility and gentry of Leinster. He sat in the Dublin Parliament as representative of Callan and was one of the members nominated by the House of

*Lord Ormonde was son of Thomas Lord Thurles, heir to the 11th Earl of Ormonde (who did not succeed to the title) and brother to Joan Bagenal.

Commons in November, 1641, to confer with the leaders of the Northern Irish who had taken up arms. But in the following year he was, with 40 other members of the Irish House of Commons, removed from the roll of Parliament as being in open rebellion. From that time to his death he was one of the most noteworthy men of the Catholic Confederation. He drew up the mode of civil government which practically governed one half of Ireland for many years and became the resident member in Kilkenny and Secretary to the Supreme Council of the Confederation, of which his father-in-law, Lord Mountgarrett was President. In 1644 he was commissioned as delegate of the Supreme Council to visit Pope Innocent X. and other foreign princes, as well as Queen Henrietta Maria, and when finally he was forced to fly the country he stood high in the esteem of Charles II., by whom his estates were subsequently restored. Bellings left behind him after his death in 1677 a history of Irish public affairs in which he took part. The manuscript was wonderfully preserved and was only published in 1882 by the late Sir John Gilbert, F.S.A., M.R.I.A. (Bellings' eldest son and heir, Richard, married Frances, daughter and heiress of Sir John Arundel of Langhorne, Cornwall. Gilbert says of Bellings' political views: "Attached to the cause of monarchy, he was also identified with the Section of the Confederation which hoped to obtain beneficial results through what they deemed judicious compromise with the Crown of England. His views in this direction caused him to be regarded with disfavour by those of the Irish, both lay and clerical, who were disinclined to temporary political adjustment, and he laboured for a permanent settlement which would ensure to their children both freedom of religion and their national rights."

There is another view of the crisis, however, put forward by Walter Bagenal himself in a speech in the Confederate Assembly and reported fully by Bellings, which discloses clearly the policy of Bellings and his party. They understood the situation in England far better than the Pope's Nuncio, and it was the English situation which decided the tragic fate of Ireland, and his own, at this terrible crisis.

Carlyle has also drawn a deeply-cut etching of the Irish War, 1641-1649, which cannot be omitted here. It is a storm driven impression worthy of a place in any sketch of the time. He says:—"The history of the Irish War is, and for the present must continue, very dark and indecipherable to us. Ireland, ever since the Irish Rebellion broke out and changed itself into an Irish Massacre, in the end of 1641, has been a scene of distracted controversies, plunderings, excommunications, treacheries, conflagrations, of universal misery and blood and bluster, such as the world before or since has never seen. The History of it does not form itself into a picture; but remains only as a huge blot, an indiscriminate blackness; which the human memory cannot willingly charge itself with! There are Parties on the back of Parties; at war with the world and with each other. There are Catholics of the Pale, demanding freedom of religion; under my Lord This and my Lord-That. There are Old-Irish Catholics, under Pope's Nuncios,

under Abbas O'Teague of the excommunications, and Owen Roe O'Neil;—demanding not religious freedom only, but what we now call 'Repeal of the Union'; and unable to agree with the Catholics of the English Pale. Then there are Ormond Royalists, of the Episcopalian and mixed creeds, strong for King without Covenant: Ulster and other Presbyterians, strong for King *and* Covenant: lastly, Michael Jones and the Commonwealth of England, who want neither King nor Covenant. All these, plunging and tumbling, in huge discord, for the last eight years, have made of Ireland and its affairs the black unutterable blot we speak of."*

**Cromwell's Letters and Speeches* by T. Carlyle. Vol. 2.

CHAPTER XIII.

COLONEL W. BAGENAL AND THE REBELLION IN CARLOW, 1641.

Amongst Walter Bagenal's blood relations were several of his father's generation who were deeply implicated in the Insurrection of 1641. Chief amongst these were Roger or Rory O'More and Colonel Richard Plunket. O'More's mother was a daughter of Patrick Barnewell by his wife, Mary, daughter of Sir Nicholas Bagenal. Plunket was a son of Sir Christopher Plunket, "a learned and gracious lawyer," by Margaret, another daughter of Sir Nicholas Bagenal. The stout old Tudor Knight who fought all his days on the side of the Protestant English in Ireland was thus fated to be the grandfather of two of the chief plotters of the conspiracy of 1641. Roger O'More was described by a contemporary as "one of the most handsome, comely and proper persons of his time, affable, courteous, speaking well both English and Irish, profound in design and policy; his extraction honourable and ancient, his ancestors having been established in Ireland long before the English Government. So generally taking was he among the Irish that in a song they made, a few words thereof were—'God and our Lady be our assistance and Roger O'Mor.'"

Colonel Richard Plunket was an intimate associate of O'More and a soldier of fortune. In his youth he was brought to England by his father, and after having been at Court for some time, he obtained advancement, "being a man of singular good parts accompanied by suitable conversation and pleasant affability."

Such were two of the prime movers in Leinster of the Rebellion of 1641, and the best proof of their dangerous influence is found in the Lord Justices' Proclamation in 1641-2 which offered £400 and a free pardon to any one who would kill or cause to be killed and bring in the head of either O'More or Plunket.*

Men are not very wise or experienced at the age of 27, and no doubt Walter Bagenal came very early under the influence of his kinsmen O'More and Plunket. The rapidity with which he acted in Carlow, of which he had been made Governor by Ormonde, proves clearly that he was under the orders of men in command. The outbreak had been arranged to take place on October 23rd, and though the attempt failed in Dublin it was carried out simultaneously in many places in Ulster.

*Carte's description of Plunket and O'More is interesting: "He was a younger brother and a mere soldier of fortune. . . . Roger Moore was a much more polite man; and seeing into Plunket and finding him a great bigot used the same spur and cheat of religion that you find in Maguire's declaration, as he did to others, and also fixed Barnewall, the Clergyman, in his interest, who being no less ambitious and covetous than the laity, made himself a tool fit for Moore's contrivance." (*Plunket MSS.*, p. 143.)

Carlow was not long in following suit and the evidence existing in the MSS. depositions of Trinity College, Dublin, taken in 1642-3, is clear on this point. Bagenal and Sir Morgan Kavanagh of Borris, Edmund and Edward Wall of Urglin, were the leading spirits in Carlow and they acted in conjunction with the Queen's County leaders, Messrs. Robert Harpole of Shrute, and Ed. Thomas Davells, and with the Butlers in Kilkenny. The plan of campaign was to make a concerted attack from both sides of the river upon the Castle at Carlow, at that time a massive quadrilateral fort commanding the passage of the River Barrow. The news of the outbreak must have been rapidly transmitted to Carlow, for in a very short time some 600 people had found refuge within the walls of the Castle.

The County from its position was admirably suited for an insurrectionary movement. It was practically only accessible from the North, for the Barrow was its natural boundary on the West; the Wicklow, Wexford and Carlow mountains enclosed it on the East and North-East, while on the South were foothills, bogs and forests very difficult of access. The only bridge across the Barrow at Leighlin had already been secured by Bagenal. The Wicklow clans were ready to take a part in any rising, for Wicklow was always the echo of Ulster in any commotion against the English Government. Colonel Hugh O'Byrne, one of the prime movers of the Rebellion, was fully cognisant of the plot to surprise Dublin Castle, so that there can be no doubt that his clan in Wicklow only awaited the signal to commence operations. The result on the north-east borders of Carlow is well described by Bellings in *The Irish Confederation and War*. From Ranelagh near Dublin, he says, "the flame spread itself to the Toolies in their neighbourhood, and to the Byrnes living beyond the great water. On the other side it flew to Sillealy (Shillelagh), where the Earl of Strafford kept his breed of horses, and those parts of Carlow next adjoining to the County of Wicklow, where the Lord of Ormonde had 3 manors in the occupation of Protestant tenants abundantly stocked with several kinds of large cattle. And not long after the report of so rich and easy booties, taken from those who seemed to be rather amazed at their loss than sensible of it, being arrived to other counties, the multitude, armed with but clubs and skeins, ran to partake of so plentiful a harvest. Here you might see seven or eight fellows driving, through the plains of a territory well inhabited, forty or fifty English cows as leisurely and as securely as if they had bought them at the next market; there as many more attending on a fair flock of sheep as quietly as if they were but herds that lead them to a fresh pasture; and in a word the confusion of the times and the least countenance of force authorised very exorbitant and scarce credible actions."*

This method of waging war was called "scabbing the Protestants," a term commonly used by contemporary writers to describe robbery and rapine. It may be imagined what terror it roused in the pleasant plains of Carlow, a country long settled by English colonists and famous even in those days for its sheep runs and

* (Bellings' *The Irish Confederation*, Vol. 1, p. 24.) The word "herds" is to-day used in Ireland for those who look after cattle.

pastures for cattle. It was these people who fled at once for shelter to Carlow Castle, leaving their homesteads and haggards to the mercy of marauders who often became murderers. What happened afterwards is best described by depositions of witnesses who were sufferers at the time and taken by a Commission sent for the purpose from Dublin by Ormonde, the Lord Lieutenant of Ireland:—

Deposition 172.—“ Ralph Bulkeley, of the town of Carlow, parish clerk, sworn and examined saith,—that since the beginning of the present rebellion, i.e., in the months of November and December 1641 and since, he was robbed and forcibly despoiled of goods and chattels to the value of £231 by the Irish Papists and rebels, viz.: Robert . . . (illegible) of Clownagh in the same County gent, a Captain of rebels slain in rebellion, Robert Harpole of Shrute in the same County, another Captain of rebels, Thomas Davells Esq., of the Queens County, Edmund Wall of Longhane, and Edward Wall of Ballynakill in the County of Carlow another commander of rebels, Walter Bagenal of Dunleckney another of their commanders, who at the first, upon his promise of loyalty and to do his Majesty service, procured to himself arms from the stores in Dublin and then most perfidiously and treacherously turned rebel and used those arms against his Majesty and his loyal Protestant subjects. Murtagh Oge (blank) of Castletown Esq, James Butler of Tully Esq, Garrett . . . (illegible) of Bristolstown (sic) Esq, and generally all the other gentry and commonalty of Irish papists within the County of Carlow. . . . And this deponent and many of the English for the safety of their lives fled to the Castle of Carlow to the number of 600 men, women and children, many being very poor and nothing to eat when they came thither. And further saith, that such was the mercy and providence of God to them in the said Castle to save them from the rebels, that a great flood fell into the river of Carlow aforesaid about the beginning of December 1641, and continued till after Candlemas following in such a height, that he never saw the like thereto, where he hath dwelt 18 years insomuch that none could approach the Castle but upon a narrow causeway which they might with difficulty defend. Howbeit the rebels before named and divers others of the country on St. John's Day of Christmas 1641 while the flood was high, came into the town of Carlow and took it, and the Irish of the town joined and resorted with them and set and kept several corps de garde, and hemmed in all those in the Castle so that they could not stir out so much as to fetch a pail of water, but they were slain. And afterwards, viz.: a little after Candlemas, the flood still continuing those rebels secretly in the night time with colts and on horseback approached unto and summoned the Castle and laid siege thereunto and also to the Church and with pick-axes and sledges broke down the Church wall but were repulsed and many of them slain; but those of the English that were found out of the Castle, these rebels most barbarously murdered, some of them being children, that were slain hanging at the breasts of their poor mothers, and some very old people that could scarcely go. And the said rebels to the great loss of men, continued the siege till the morning following, but were much annoyed and hindered by the water,

insomuch that when they were quite repulsed and forced to leave the siege, many of them were put to deep wading and swimming, and some in the cots* slain, wherein that flood and the narrowness of the pavement afforded to the besieged Protestants not a little relief and advantage. By which repulse those rebels were so deterred, as he conceiveth, that afterwards they did not attempt to besiege the Castle or the Church, but yet lying in the town, kept the Protestants in the Castle until His Majesty's army did about Easter following, march thither and then all that were there besieged went away with the army.

Ralph Bulkeley.

Jurat. 8 Jany, 1643.

Hen. Jones.

Hen. Brereton.

Deposition 169.—Martha Mosley, the relict of Samuel Mosley, late Vicar of Carlow, now deceased, sworn and examined saith, that about the beginning of November 1641 when the rebellion was begun at Carlow, her said husband was then alive. And that then he and she, this deponent, was forcibly expelled, and deprived from the possession of his benefices, or church means, and of their goods and chattels to the value in all of £1,000 and above by Thomas Davells of the Queens County Esq, Mr. Wall of Loughlan in the County of Carlow Esq, and Robert Harpole of the Queen County Esq, and their soldiers and partakers, whose names she knoweth not. And that this deponent's husband and she and their 4 children and her mother fled from their habitation into the Castle of Carlow, where they remained for about one year and there endured much grief and calamity, insomuch indeed that she thinketh it was the death of her husband and also of her mother. And she further saith, that during the time that she and the rest were in the Castle, viz. :—twixt S. Stephan Day 1641 and the week before Easter, the said Castle was besieged by the said Thomas Davells, Wall, Harpole, and their soldiers, and by Walter Bagenal of Dunleckney Esq, and Robert Evers of Cloghnory in the County of Carlow, Gent., and their soldiers and accomplices, whose names she cannot tell.

And saith, that one night whilst the siege lasted there was slain and hurt near to the Castle and Church, to the number of 25 men women and children English Protestants, who were barbarously mangled, hewed and slashed by the rebels. And one woman who had her hand cut off this deponent, by God's assistance cured as she did divers others whilst she was there. . . . About Whitsuntide 1642 one Hugh Everard and Edward Howe, 2 Protestants, were, within musketshot of the Castle both murdered, mangled and cut to pieces most barbarously by the said Mr. Harpole and his soldiers. The wife of one Jonathan Lyn and her daughter were also surprised by the rebels as they were gathering corn and were from that place carried to Stapletown (sic) wood, where and when those 2 poor women were hanged upon a tree by the hair of the head all night. And the next morning they were cut down by the rebels and being found to have life in them the cruel villains then and there killed them outright. About

*Cots. Then and now the word for fishing boats on the Barrow.

the latter end of August 1642 one Bennet Bower went out of the Castle to get in corn and there went with him one Alice Chevering and her little son and another woman that had been formerly his servant, all which 4 about a quarter of a mile from the Castle were met by the soldiers of the said Harpole, who then and there took the said Bower prisoner, murdered the little boy and his mother and the said other woman, the poor child's head being pitifully mangled and his belly so opened that his bowels fell out, and one of the women's throat being almost cut through, and the other pitifully mangled.

Martha Mosley.

Jurat. 29. Oct. 1643.

Hen. Jones.

Hen. Brereton.

The result of the outbreak in Carlow was that the county passed entirely under the authority of the Catholic Confederation, and, as one of the largest landowners in the district, Walter Bagenal became a man of importance in the counsels of the leaders. Thus it was that from the beginning to the end of these Irish troubles he was unceasingly engaged in military affairs and in continual correspondence with the leaders of the Cavalier party in Ireland. In Kilkenny, the adjoining County, Viscount Mountgarrett was a leading spirit in the Rebellion, and with him Walter Bagenal was intimately associated. Documents relating to the case of Edward Butler an infant grandson of Lord Mountgarrett show that in 1632 Bagenal was a trustee of the Manor of Ballyraggett and other lands in Kilkenny for the use of the younger children of Edmund the second Viscount. This no doubt accounted for the intimacy between Bagenal and the sons of the first Viscount, and the fatal consequences which subsequently flowed from it.

CHAPTER XIV.

COLONEL W. BAGENAL.—Continued.

In 1641 the King's affairs had taken a very unfavourable turn in England, and his best hopes were placed in obtaining military aid from the Confederate Catholics of Ireland, with whom he was ultimately ready to conclude a cessation of the war on the terms of their advancing him a sum of £12,000 out of their treasury, and sending over 10,000 men to join his forces against the Parliament in England.

The conduct of the negotiations for this peace between the King and the Confederate Catholics was entrusted, on the King's part, to Lord Ormonde, the Lord Lieutenant of Ireland, and to Commissioners from the Confederate Catholics, of whom Walter Bagenal was one, on the other part: and the negotiations had been dragging on slowly for two years, by reason of the Confederates demanding greater freedom for their religion than Lord Ormonde thought it safe for the King to grant. They demanded a repeal of all penal laws passed since the reign of Henry VII.: that their religion might be celebrated, in all its splendour, as freely as at Paris or Brussels: and further, that they should keep all the churches and monasteries that they had got possession of during the war, which included those over five-sixths of Ireland. Lord Ormonde declined to be a party to a peace on such terms. The war accordingly went on till 1645, when the King, being resolved to get the aid of the Confederate forces at all hazards, sent over Lord Glamorgan to the Confederates at Kilkenny, commissioned to conclude a secret treaty, granting them their terms, on condition of their sending over the men and money he demanded.

An accident, however, exposed the whole of Glamorgan's secret treaty, and brought about a most complicated state of affairs. At the fight near Sligo, the Roman Catholic Archbishop of Tuam was slain, and the papers containing the terms of the secret treaty were seized among his baggage, and were immediately printed and published by order of the Parliament of England, in order to prejudice the King with the Puritans of England and Ireland. Lord Glamorgan, being arrested in Dublin by Lord Ormonde for misusing the King's name, defended himself by proving the authenticity of his commission, but, to relieve the King from the odium of making such concessions to the Roman Catholics, he produced another paper, called a defeasance, very characteristic of the Stuart diplomacy, by which the King declared he would be no further bound than he might think fit.

On being released, Lord Glamorgan went to Kilkenny and assured the Confederate assembly that the latter paper, whereby the King pretended not to bind himself to what he engaged to do for the Roman Catholics, was merely done by

way of "blindation": in other words, was intended to deceive the English Parliament, and not to dissolve his obligations entered into with the Confederates.

The Council of the Confederates, who were extremely anxious for the conclusion of a treaty of peace, were content to accept Lord Glamorgan's promise that the King would fulfil his pledges to respect the religious liberties of the Roman Catholics. They, therefore, instructed their Commissioners to conclude the treaty with Lord Ormonde, which was, accordingly, signed at Dublin on the 28th of March, 1646, securing the civil rights of the Roman Catholics, but omitting all mention of their religious liberties, which had been the subject of Lord Glamorgan's articles. In this peace Walter Bagenal and his party agreed.

But it proved extremely distasteful to Rinuccini, the Pope's Nuncio, who had arrived in 1645 in Ireland, and who had a very large party in the Assembly and throughout the country to support him. The Council, accordingly, became anxious for their personal safety, and for the consequences that might result from proclaiming the peace, which had been suspended by agreement with Lord Ormonde until the 30th of July, on which day it was proclaimed with all due ceremony in Dublin. No sooner did this occur, than the Prelates met in national Synod at Waterford and on the 12th of August issued their decree declaring the Commissioners who had signed the peace, and all who should accept it, perjured. Foreseeing the danger they would be in when it came to be proclaimed in Kilkenny, the Council of the Confederates induced Lord Ormonde to proceed thither from Dublin on the 28th August, with 1,500 foot and 500 horse, "to countenance" this ceremony, which accordingly took place with all the splendour that the Lord Lieutenant's presence, with 2,000 men, could give it.

The Nuncio, however, and the party opposed to the peace, secretly sent orders to Owen O'Neill, then with the Ulster army near Roscrea, to march with all speed towards Dublin to intercept Lord Ormonde's return, and, if possible, to make a prisoner of him. At first Lord Ormonde could scarcely credit the intelligence, and cost about to ascertain the truth of it. What happened is described by Bellings: "Whilst he was considering what party to take, the Earl of Castlehaven came to him, with a full account of the design laid to intercept him, and that both O'Neill's and Preston's armies were on the march to cut off his retreat, so that he had not a moment's time to lose, and must inevitably be lost unless he marched immediately to Leighlin Bridge with his troops, and having there passed the Barrow, and got that river between him and the enemy, endeavoured by long marches to gain Dublin. There was neither room nor time for dispute, and the Marquess of Ormond immediately joined his troops at Callan. Thence he dispatched orders to Sir Frederick Willoughby, who was still posted at Gowran Castle, to take up all the draught horses he could find in the plough, stables, or field, to put them into the waggons, and to march with all the forces as fast as possible to Leighlin Bridge, and possess himself of that pass, for they were all betrayed, and O'Neill was advanced with his army into the barony of Ballinakill, in the neighbourhood of Kilkenny. . . . When he came within three miles of

Leighlin Bridge, he received advice that 100 men, under Colonel Walter Bagenal, were put into the fort at the Bridge end, and thereupon sent two officers to Bagenal, to know whether he might expect to find him a friend or an enemy. Bagenal returned a very civil answer, that the passage over the Bridge should be open, and that he might command any accommodation that the Castle could afford."*

Colonel Bagenal's conduct on this occasion was, in fact, the salvation of Lord Ormonde, who would have otherwise fallen into the hands of Owen O'Neill and his brave but ferocious army, composed of the Ulster creaghts, then fresh from their triumph over the Scotch forces at Benburb. Being allowed a passage over Leighlin Bridge by Bagenal he was enabled to reach Dublin in safety on the 30th of September, 1646.

There now broke out an open schism in the Confederate Assembly, between the parties who supported the peace signed with Lord Ormonde, and those who adhered to the views of the Nuncio, who condemned it as beyond the powers of the Commissioners, and declared them and all who adhered to it "perjurious," as acting contrary to the original oath of association, by which they were bound to secure their religious freedom. But the practical question now was, whether they should unite their forces with the King's, and thus together oppose the Parliament forces, which were every day growing stronger in England, or, by rejecting the peace, run the hazard of having to meet them alone. The King was a prisoner in the hands of the Parliament. The Parliament ships were in the Bay of Dublin. Many of those under Lord Ormonde's command were well inclined to surrender Dublin to the Parliament, in which event it was foreseen by many that the forces of the Confederates would be unequal to cope with the Parliamentary arms. They had already ample evidence of what fate they might expect in the event of their being subdued. Both Houses of the English Parliament had passed resolutions that they would not allow a toleration of their religion in any of the King's dominions, and had, by various acts and ordinances, confiscated their lands, and assigned them for the payment of the expenses of the Irish war.

These differences about the Peace of '46 gave rise to tumultuous debates in the assembly at Kilkenny, in which the party for rejecting the peace were the most numerous and powerful, and finally succeeded. Colonel Walter Bagenal, however, as one of the Commissioners, supported the peace. He considered that the faith of the Confederates was pledged by the act of their plenipotentiaries in signing for it, and spoke against rejecting it as if he had a full vision of the calamities impending over his country, his family, and himself. There is extant an

*NOTE.—The importance of Leighlin Bridge is emphasised in an order of the Leinster Affairs Committee at Kilkenny dated 1 July, 1646: "Leighlin fort is held a place of absolute necessity in these dangerous times of surprisal to be carefully guarded. A sergeant, drummer, and 15 soldiers of Captain Walter Bagenal's company are allowed to reside there. Edward Wall, Receiver of the Grand appointment of the County Carlow shall pay to these soldiers two months means from 6 May amounting to £17—9—0. A muster shall be asked for and those muster shall be paid on this scale. Sixpence in the £ to be deducted." (*Cal. St. P. Ireland, 1633-1647.*)

account of these scenes by an eye-witness, who was himself a member of the Assembly. He contrasts their conduct at this period, when the Assembly had been new formed in an irregular manner, with their former grave deportment—saying that their clamorous disputations, and horrid confusion of outcries of “Aye, Aye, No, No,” were such as vexed the souls of some composed men, who had been witnesses, in former sittings, of their grave deportment: for though the House, in her best of times (he admits), fell into heat, and was loud in her “Aye’s and No’s,” yet now it had grown clean another thing. The Bishop of Leighlin, who always sat upon an eminent bench at the upper end of the House, could, with waving his hat, raise such a storm from the middle seats and towards the door, that nothing could be heard for a long time after but the repeated thunder of “Aye ” or “No,” or that name which he first dictated to them.

Bellings gives a full report of Walter Bagenal’s speech on this occasion, referring to him as a young man, who to the nobleness of his birth and the plentifulness of his fortune, had added a great stock of valour, and manie excellent parts, took occasion to speak after this manner:

“Mr. Plunkett,*—When I consider the weight and importance of the matter now agitated, I do not wonder that we have spent so manie days in the debate of it, for the house may then be thought to have satisfyed her own wisdom, when all objections are laid open and cleared. But when I observed men’s reasons are rather cryed down than convinced, and that it is an impetuous storm, not a natural tide, that raises the sea of our passions to so exorbitant an height, I must confess, I look upon it as a sad augury of the manie miseries (if God prevent them not) which will befall us and our posterity. For I appeal to the consciences of all that hear me, if, when we were first compelled (for compelled we were) for safety of our lives and fortunes, and the defence of our religion, and our king’s rights, to take up armes, we had then, while yet his majestie was in power, able to dispute his cause with probability of success with his rebel subjects of England, been offered less advantageous concessions, we had not joyfully accepted them with a thankful submission to his gracious pleasure; and truly I cannot see that improvement in our condition, if we shall prudently weigh all circumstances, which should make us now less willing to acquiesce. We have plenty of armes, you will say, which we then wanted; our armies are formed, and our affayres directed by a constant way of government. Certainly, it cannot be denied, if the comparison extend no further than between us and ourselves, and if we conferr without having a prospect upon our enemy, and judging at the same time of the change of his condition, the then tumults with the new Confederate Catholicks, we have manifold advantages, which we then wanted. But when we shall consider that the party in the parliament of England, which had vowed the extirpation of our religion, and was then seconded but by the confused clamours of the multitude at London, hath armies at present, and the royal fleet at their command;

*Nicholas Plunket, Clerk to the General Assembly of the Confederate Catholics and afterwards engaged in various missions to continental powers.

that they who then were in their down, and scarce would adventure to hop out of their nests, do now fly all England over, and that, of the two concurrent parties whose conflict gave us respite to advance thus far in our work, that party is ready to prevail which threatens our destruction; When, I say, we shall maturely weigh this change to the better in our enemies, we cannot be so partial to ourselves, as to think our state so much improved beyond theirs that we should now, upon consideration of that inequality, reject those conditions which we would cheerfully have embraced at first. And it is visibly manifest, that if we inclined to such resolutions at a time when our king was in a posture to keep the parliament forces employed, and so to divert this storm from falling upon us, both our own interest, and the dutiful compassion of our sovereign's present condition, ought now, in all reason, to move us, by endeavouring to redeem his majesty from his heavy pressures, to lay everlasting obligations of gratitude upon him, and by assisting his party in England, to lift up a shield for our own defence, which can no otherways be done, than by accepting this peace, concluded and published by authority of the kingdom, and by avoiding those severe punishments which never fail to attend the breach of publick faith. The bitter vengeance which was exacted of the king of Hungary, for breaking, at the instance of cardinal Julian, the pope's legate, that peace which he had newly concluded with Amurath the Great Turk, ought still to be before our eyes, wherein the memorable circumstances make it evident, how that every crime was the object of God's indignation, for Amurath had no sooner lifted up those articles to heaven, saying, Christ, if thou beest a God, as the Christians do make thee, revenge the violation of thy name, and this perjury. But the young king who before had so prevailed, as he believed himself in possession of the victory, was instantly repelled, his army entirely defeated, himself overcharged with his armour, drowned in a morass, and his evil counsellor miserably butchered.

But now, Mr. Plunkett, I shall beg leave of the house to recede from the ordinary custom, and to apply my speech to the prelates. My lords, there was a time, when our ancestors, at the peril of their fortunes, and with the danger of their persons, sheltered some of you and your predecessors from the severity of the laws. They were noniggardly sharers with you in your wants; and it cannot be said that the splendour of your present condition hath added any thing to the sincere and filial reverence which was then paid you. We, their, posterity, have, with our blood and the expense of our substance, asserted this advantage you have over them, and redeemed the exercise of your function from the penalties of the law, and your persons from the persecution to which they were subject. We are upon the brink of a formidable precipice, reach forth your hand to pull us back; your zeal for the house of God will be thought no less fervent, that you preserve the Irish nation; and your judgements will not suffer for the attempt, when you give over upon better information. Rescue us, we beseech you, from those imminent miseries that environ us visably; grant somewhat to the memory of our forefathers, and to the affection we bear you ourselves. Let this request

find favour with you, made to prevent the violation of publick faith, and to keep the devouring sword from the throats of our wives and our children.

The reporter of this speech, no less a person than Richard Bellings himself, says "that what Mr. Bagenal spoke prevailed to move them to compassion and some of the prelates had a feeling sense of his discourse. But their resolution had cast roots too deep to be shaken and it was not for the honour of the Congregation of Waterford, which for the number and dignity of the prelates concerned thither was the greatest that had been seen in Ireland in many ages, to have retracted what they had so maturely determined under the conduct of the Archbishop of Fermo (Kinuccini), the first in 500 years sent from Rome with the title of extraordinary Nuncio. So as the order which was now engrossed being put to the rack, the place was rejected by a vote which notwithstanding all the industry used therein, was far from being unanimous in the public acclamation and very far from finding a tacit consent in the minds of men."

Mr. J. P. Prendergust, author of *The Cromwellan Settlement*, in his sketch of the "Barony of Idrone" in this connexion, says: "The solemn words of Colonel Walter Bagenal have a yet deeper significance, when it is remembered that the whole of the audience that he addressed were shortly afterwards visited with the woes he had predicted, and thus endeavoured, but in vain, to avert. It would almost seem as if he saw like as in a vision, how the members of this great assembly, comprising the most ancient of the nobility and landed gentry and prelates of the Roman Catholic Church of Ireland, were to be dispersed and driven as houseless wanderers into foreign lands. His concluding words presaged his own worse fate, of being put to a cruel death by his enemies, while his wife, sank bereft of reason and broken-hearted, into the same grave, leaving their children to the mercy of those that had made them beggars and orphans.

A writer of this period strongly in favour of the Nuncio's policy inveighs strongly with obvious partisan hostility against the leaders of the peace party, who were in sympathy with Ormonde. He says:—

"And lest any suspicion might be conceived in their verbal protestations (as aforesaid) they endeavour, beyond the ordinary course of all dissembling behaviour to confirm it by their external actions, and especially Sir Richard Barnwell, Sir Robert Talbot and Walter Bagenal, for during the sitting of the pseudo assembly these three ever and then did publicly persuade nothing other than what was behooful for the common good, looking still upon the poor with a godly commiseration (as they said), most obedient to the Church in all exterior behaviour, goinge two or three miles to woods and bogs in winter time and a foote to hear mass, issuing pressing orders to the militia to keep inviolable to Churchmen their immunities; by this act to draw on the credulous Irish both clergy and laity by the performance of these small things that they may the more finely fetch them over to believe the like sincerity in greater matters."

May 19, 1651. *W. Bagenal to Marquis of Ormonde.*

My Lord. I did not a little afflict me to happen a stranger to your Lordship's departure from Kilkenny not knowing when to see you. Since when our misfortune in this Province increased to a most desperate state whereunto the remissness of the lower Dividend hath been no small help by whose assistance (if they had occasionally complied) we might probably cut off either the partie first commanded to the Co. of Kilkenny by Col. Renalls, or Huson's who marched straight from Dublin to Leighlin (if not both) from which neglect Leighlin and Thomastown were lost and Gowran where Cromwell met the other . . . and after gaining the place on quarter with some loss put the chief officers to death as I am tould. Whereof Townley commanded and marched yesterday to Kilkenny which I fear will make very little resistance as any of the rest unless the plague defend it. Therefore it imports your Excellency to attempt some effectual remedy speedily either by exposing ourselves nobly for our freedom or if you find not yourself in condition to engage to consider some diversion of importance. (*Carte Papers*, Vol. 29, p. 83.)

1650. Walter Bagenal and his adherents thus disappointed by (Col. John Fitzpatrick's) treachery, found no remedy for their desperate condition but to apply a second time for a pass for their agents, which they obtained. But such an one it was as gave them liberty to come to Kilkenny but not a word therein of license to return.

Such however was their desperate condition that they choose to proceed on their journey with this lame permission whatever might ensue, rather than refuse it. For if they should be made prisoners they thought it better than to continue in arms when they had not the garrison to protect them in any security in the faithfulness of their own party. (*Carte Papers*, Vol. 64, p. 341.)

24 June (sic) Dunleckney, 1647. *Walter Bagenall to General Preston:—*

"I received the enclosed yeserday from my cousin Belling (as being) a relation of the preparations now being made in Co. Kilkenny for your present assistance. There are 300 horse fully armed and 200 firelocks who are to meet you on Monday morning at Bennett's bridge whence they are to march. Lord Mt Garrett is to come with them. To morrow is the rendezvous of this Company at Ballinacarrig Bridge where (?) if the County will send a good troop by me I will march with them. Otherwise I will solicit (?) the Council and force (?) it, if they give me orders and come along with Lord MountGarrett whom I will 'edg' to the utmost to despatch to you."

(Followed by, on the back of the foregoing.)

"I dislike nothing more than that there should be dissension in the ranks of the federate Catholics. I therefore thank you for the happy tidings of reconciliation and of affections of the province of Munster. I do not care to remain in this province, for I shall certainly be blamed if any disaster occurs in Munster."

Letter from Walter Bagenall to:— (name not given.)

" 1649 June 19. I have coveted to serve you, which I have been industrious to manifest whilst my judgment approved your proceedings; and since my advice in your behalf to Mr. Lea might if truly related terrify as much but could not relish with any gust the progress of your affairs of late, nor conceal my dislike thereof, yet have attributed much of that inconvenience to the facility of your nature and the influence evil dispositions had over you, whose advices if you please but to decline and conform yourself to His Excellency's (i.e., Ormonde's) commands I do undertake you shall find indulgencies to exceed what you can in reason expect, that being the only means to attain the same; which I am commanded to require at your hands by his Excellency without delay. In pursuance thereof I shall desire you immediately to dispatch your orders to those entrusted by you in Carnoe, Arkloe and Clonmullen to receive such garrisons as His Excellency has heretofore commanded (and now by me) in such sort as they shall prove effectual, otherwise you must expect the severity of justice. As for Carnoe His Excellency will perform the title of engagement concerning the same unto you, but is necessitated to garrison it for reducing the rebels the speedier, which otherwise must evidently draw the same to such a length as cannot but prove very destructive. Your positive resolution hereunto is desired by him." (Not addressed).

CYPHER LETTER. Colonel Walter Bagnal to Ormonde.

My	lord,	by	comaunde	of	my
18.35:	15.29.30.6:	11.35:	4.29.18.18.20.37.140.6.10:	29.8:	18.35:
lord	general		Preston	I	am
15.29.30.6:	3.10.40.40.10.3.20.15.15:	34.30.:	10.38.33.29.40.2:	20.18:	
instanced	to	desire	you	march	
2.40.38.33.20.40.4.10.6:	33.29.6.10.38.2.30.10:	35.29.37.10:	18,20,30,4,7:		
hitherward	on	sight	hereof	he	
7.2.33.7.10.30.32.20.30.6:	29.40:	38.2.3.7.33.7.10.10.30.29.8:	7.10:		
being	in	his	march	now	to
11.10.2.40.3.2.40:	7.2.38:	18.20.30.4.7:	40.29.32:	33.29:	
incounter	the	van	of	the	
2.40.4.29.37.40.33.10.30:	33.7.10:	37.20.40:	29.8:	33.7.10:	
	northern	army	entered		
40.29:	30.33.7.10:	30:40:	20.30.18.35:	2.40.33.30.10.6:	
into	this	country.	He	and	his
2.40.33.20.33.7.2.38:	4.29.37.40.33.35:	7.10:	20.40.6:	7.2.38:	
army	intire	with	the	nobility	
20.30.18.35:	2.40.33.2.30.10:	32.2.33.7:	33.7.10:	40.29.11.2.15,15.15.2,33.	
	and gentry	of	those	parts	being
35.20.40.6:	3.10.40.33.30.35:	29.8.33.7.10.38.10:	34.20.30.33.38,11,10,2,40,3:		
firme	to	joyne	with you	to	performe
8.2.30.18:	33.29:	2.29.35.40.10.32.2.33.7:	35.29.32:	33.29.34.10.30,8,29,30,18:	
his	undertaking	if	you	faile	or

7.2.38: 37.40.6.10.30.33.20.1.2.40.3: 2.8.35.29.32: 8.20.2.15.10: 29.30:
 delay you ruine us all and your
 6.10.15.20.35: 35.29.32: 30.37.2.40: 37.38: 20.15.15: 20.40.6: 1.35.29.32.30:
 seife in us.
 38.10.158: 2.40: 37.38:

Endorsed: Bagenal's letter to lord lieutenant, by Preston's order (10th December, 1646).*

These debates and events took place in November, 1646. In January, 1649, the King was beheaded. In August of the same year Cromwell landed, and in March, 1650, Kilkenny surrendered, after a most gallant defence by Sir Walter Butler. The Leinster forces of the Irish, in which Walter Bagenal had the command of a regiment of horse, held out for two years longer, and, finally, came in upon articles which were completed at Kilkenny on the 12th May, 1652. The Delegates named by the Earl of Westmeath, Commander-in-Chief of the Leinster forces, to meet the Commissioners appointed by Edmund Ludlow, the Commander-in-Chief of the Parliament army (among whom were Colonel Daniel Axtell, Colonel Richard Lawrence, Colonel Henry Prittie), were Sir Walter Dongan, Bart., Commissioner-General of the Irish Horse: Lewis Dempsy, Lord Viscount Clanmalier: Sir Robert Talbot, Bart.: Sir Richard Barnwall, Bart.: Colonel Walter Bagenal: Colonel Lewis Moore: and Thomas Terrill, Esq.

The terms agreed upon were, that the Leinster forces should lay down their arms on the 12th June following, except that each colonel of horse was to have allowed five horses and three cases of pistols, and other officers according to the measure specified in the first of the articles.

By the second article, the officers, except such as were thereafter excepted, were to have pardon for life and protection for themselves and for their personal estate, with liberty, if they should not be willing to submit to such terms as the Parliament might hereafter impose, to retire within three months into any foreign state in amity with England. But by the seventh article (which was the exception above referred to, and under which the Parliament leaders justified their act of putting Colonel Walter Bagenal to death), the benefit of the articles was not to extend to the exception of any person being questioned according to the due course of law, who had a hand in any of the murders that were committed upon the English or Protestants of Ireland, during the first year of the war. And this the English Commissioners of the Parliament forces further qualified by declaring that the exception should not extend to questioning the acts of soldiers in arms against any of the field forces of England, or others entertained in public pay in the defence of any castles on behalf of the English.

That Colonel Walter Bagenal was incapable of murder in any ordinary sense of the word is evident from his birth, his breeding, and noble character, as also from

*General Preston was uncle to Lord Gormanston and had 30 years' experience of fighting on the Continent and won considerable fame. He came to Ireland to take command of the Leinster troops on behalf of the Catholic Confederation and successfully besieged Duncannon Fort. On the Restoration he was created Viscount Tara.

his fearlessly intrusting himself as a hostage into the hands of the English army, an act which shows that he was conscious of no such crime. And the Commissioners of Government gave subsequent testimony to the severity of his sentence by a certain remorse, as exhibited in their dealings with his son, to whom they were less severe than others of like condition. But charges of murder were formally brought against him whilst a hostage and he was detained prisoner in Kilkenny, by order of the Commissioners of Parliament.

It is by no means improbable that in an attack on some castle during the first year of the war, some of the garrison may have been killed while Colonel Walter Bagenal was in command of the attacking forces.

In many instances Protestant gentlemen assembled their English tenants, armed them, and stood upon their defence, endeavouring to hold out until the King's regular forces should be able to join them, and they might assume the offensive. As these armed retainers would not be in the pay of the State (though to all intents and purposes engaged in the war), if any of them happened unfortunately to be killed in defence of their post, the commanding officer of the Irish force would, of course, come within the terms of the seventh article, and be liable to suffer death.

Sir Richard Everard, for some like act, was found guilty, but his sentence was changed to exile.

Colonel Walter Bagnal, however, being, unfortunately, first tried when there was a demand for victims, met harder measures, and could find no mercy.

During the period of his imprisonment he seems to have endured very harsh treatment from Colonel Axtell, Governor of Kilkenny, whose severity is well known. He denied him, at one period, not only of the access of his friends, but even sufficient food for his wants. Such rigour arose, perhaps, from some attempt at rescue, of which, however, there is no mention in any of the letters about to be cited, but the date coincides with the publishing of the Act of Proscription, under which the high courts of justice proceeded.

The first letter is dated 4th of September, and is as follows:—

“ Commrs for the affairs of Irel^d, to Colonel Axtell.

“ Tredagh, 4th Sept. 1652.

“ Sir,—We have received a Peticon from Coll Walter Bagnall desiring his wants and present condition to be taken into consideration. Wee desire you to take especiall Care y^t there may be some effectual course taken y^t he do not perish for want of relief: and y^t that out of the profitts of his estate and (if that cannot be timely gotten) then you cause soe much as you shall judge necessary to be paid out of y^e Treasury to y^t end soe that the same exceed not 20s. per week. This wee commend to your care, and your order to the Treasurer in writing shall be his warrant for the payment thereof.

“ Yours, etc.”

Though this letter may have obtained for Walter Bagnal better treatment, in

the way of food, the Commissioners were again obliged to interfere to obtain for him the access of his friends.

“ Same to Same.”

“ Tredagh, 11 Sep. 1652.

“ Sir,—Since our last, touching Colonel Walter Bagnall we received another petition from him, complaining that he is of late deprived the conversation of any friend. We do not know that extraordinary reason there may be for it, and, therefore, shall not give any positive direction in it. But we do think fitt, as far as may consist with the safe keeping of him, all civility should be shewn him, and that his friends may be admitted to him, Provided it be with your licence, and that they come in such numbers and at such times as you shall think fitt, and that no discourse pass between but in the presence and hearing of the keepers, and that in English. With some such caution these civilities (we suppose) may be shewed with safety. But we leave it to your discretion upon the place, and remain
Yours, etc.”

In the month of October, 1652, a high court of justice was set up at Kilkenny, consisting of officers of the army, with Sir Gerald Lowther, Chief Justice of the Common Pleas, as President, for trial of Walter Bagenal and other prisoners, at which Walter was brought to trial on a charge of murder. He pleaded that he was one of the managers of the Articles of Kilkenny (or Leinster Articles), and remained as a hostage for the due performance of them, and claimed his privilege, as a hostage, to be free from trial. On reference, however, to the Commissioners of Parliament for the affairs of Ireland, who were then at Kilkenny Castle, on a tour through the Parliament quarters, the plea was rejected, and, the trial proceeding, he was found guilty, and suffered death.

There is extant an account of Walter Bagenal's death written by the same hand as described him above. (See page). The writer's view was no doubt warped by party feeling but even so it bears testimony to his position and character in the Confederate party.

A.D. 1652. “ The three provinces, Leinster, Munster, and Conaught, are now quiet under the enemies commands without any opposition; for what partie did sticke to Bryan M'Phelim in Linster, are gone for the North, as above mentioned, few did adhere in Conaght to Christopher Kelly, and Mortagh O'Bryan, in Munster, all tories as the enemy now a-days termes all the Irish. The common enemy having nothing to do in the foresaide Provinces other than executions; all marshallsies full of people to be tryed; all men found guilty of death that have been accessarie to the death of any Englishman or English adherent. Upon this scorce, notwithstanding this now peace, our hostages for compliance of Kilkenny Articles (No. 938 mentioned) are now arraigned pursuant to the 9th article of their own proper acte, and the 9th Resolve (No. 930). With much adoe Lord Clanmaliry was reprieved (after long indurance), until further time. But Colonell Bagnall, a prime gentleman, and a great pillar of faction was condemned of death for hanging an English boore upon presumption of being

a spie, the first yeare of this commotion. When Bagnall sawe how the world went with him, was mightie penitent for what he had formerly acted, engeniouly acknowledging his irreparable oversight, advising the multitude standing by to beware that they taste not the same cupe that he now brings unto them, assuringe them that he is worthily searved, cursinge and banninge all such as occasioned his hauling in soe just a cause. Many other things to this tyme have this gentleman uttered; many sharpe and shower reprehensions he gave the enemy, but desired be bulleted alive like a souldier and not hanged (as his sentence implied), like a malefactor, which was granted. Verily if not misleade this gentleman had verie good partes; he was bould, audacious, courageous, well bred, fluent in deliverie, liberall, and well descended. But was spitefull, arrogant, presumptuous, and envious (which, God forgive him): after all his pleadings was shott to death."

Colonel Walter Bagenal's dying letter to the Marquis of Ormonde is to be found in the *Carte MSS.* It is difficult to imagine a more pathetic document. It runs as follows:—

"God's providence hath so ordained, I doubt not for the advantage of my better part that I am with others become an instance of murthers and massacres committed on the English the first of the war, and for such an one doomed, so that this will be the last from me your Lordship shall ever receive referring my vindication to some friend who hath been witness of my trial and last expression which I doubt not will find credit with those best knew me, whereof your Lordship is the cheefe; desiring your Lordship will mind those little ones I left when you may, having dedicated them to pay those services I owe your Lordship and would have paid to my power in all opportunities. I directed notice to be sent your Lordship whether or no you would have my son Dudley sent unto you. So wishing God to protect and comfort you and yours in this world and direct you in the fruition in conclusion of glory I remain,

"Your Lordships most affectionate servant.—Walter Bagenal."

(*Carte Papers*, Vol. 215. Letters 1664-1668).

How faithfully and continuously Ormonde fulfilled the petition of his unfortunate kinsman will be seen. The kindness of the Duke of Ormond to his numerous Catholic relatives and his tolerance of their religion was one of his lifelong characteristics. In a letter to Robert Southwell on the subject he says:

"I am taught by nature and also by instruction that difference in opinion concerning religion dissolves not the obligations of nature and in conformity to this principle I own not only that I have done but that I will do my relations of that or any other persuasion all the good I can."

So it was with his cousin Dudley Bagenal, the grandson of the 12th Earl of Ormond. He interested himself in his affairs, collected debts long due, found him his second wife and when he fled the country in exile with James II. had no doubt a hand in limiting the confiscation of his property, so that his son Walter was able to regain possession of his inheritance.

It must not be supposed that this account of Colonel W. Bagenal's last speech was a confession of his guilt of murder. There is another account of it. The writer was a partisan of the Nuncio's party in the Confederation and his allusion to Bagenal's penitence was aimed at the active part which the latter took against the Nuncio's policy, and which is here described as "halting in so just a cause." The phrase "irreparable oversight" may indeed be taken to mean that he felt he had not exercised sufficient care and superintendence over the deeds of those under him and thus became morally responsible for their actions.

There is an interesting letter extant describing Kilkenny at the time Colonel Walter Bagenal was imprisoned awaiting trial. It runs as follows:—

"John Percivale to his cousin Thomas Pigott.

"1652 Sept. 25. Kilkenny.

"Such is the miserableness of this place I can compare it to nothing but the first chaos, *rudes indigestaque moles*, or as Justice Cooke called it at the late meeting of the officers (where was much excrassing) a white paper. Indeed poor Ireland has lost much blood and I cannot wonder it shall be palefaced now, and it may be called paper in that it may be quickly set on fire with faction, but that it is white paper ready to have anything writ on it that the State shall think fit, that it deemed by some . . . The great McCarty Reagh is apprehended and to be tried at Cork for murder. Colonel Walter Bagnall, the Lord Viscount Glanmaliere, and a daughter of the Lord Mountgarret are prisoners here on the same score and like to partake of the same fate intended to all murderers which is hanging. The Toolles, Kavanagh, and Byrnes of Wicklow are all come in since the General's landing and none now in armes but some whom Sir C. Coote now pursues, not in number above 5 or 6 hundred. There hath been shipped for Spain 7000 and Grace is now at Waterford with 900 more." (*Hist. M.S. Com. Earl of Egmont's MSS.*)

There could hardly be a more cold-blooded view of the state of Ireland after Cromwell had scourged the country from end to end.

A newsletter in London, two months after, gives some further details about the Kilkenny executions, with a curious and erroneous statement as to the manner of Colonel Bagenal's death:—

Chester. Nov. 9. 1562. Our news from Ireland relates all acts of hostility to be at an end there and now the only work that busies the eyes and ears of the nation is the present solemn proceedings (at Kilkenny) of the High Court of Justice where they made a good progress in the just execution of the hand and judgement of God, the avenger of blood and murder, having already proceeded against Colonel Walter Bagenal who had the honour of a beheading, a thing not usual in Ireland. There is also one Bridget Fitzpatrick wife of Florence Fitzpatrick adjudged to be burnt for a monstrous murder. Lewis Moore and Lewis Dempsey two ringleaders in cruelty were hanged and Lord Dempsey under trial. (*From Commonwealth and the Information of the People.*)

CHAPTER XV.

COLONEL W. BAGENAL'S TRIAL.

This special High Court of Justice had been set up in Kilkenny on November 12, 1652, by Cromwell for the purpose of satisfying the English outcry for satisfaction for the innocent blood spilt in 1641. The Court was held with some pomp and ceremony and sat in the Chamber where the Parliament of the Confederation used to meet. The mace was brought down for the occasion from Dublin Castle with 24 halberdiers. The President of the Court was Colonel Daniel Axtell, one of the most active and violent officers of the Cromwellian Army in Ireland. He was charged with committing great cruelties upon the Irish during the reduction of the country. His barbarity was so notorious that it is said that "his own merciless brethren in the army resented it and drew up articles against him in a Court Martial which would have been executed upon him had not the Anabaptists (his own sect) been the predominant party and suffered the business to drop."* Axtell had taken a leading part in the trial of the King, beating his soldiers to make them cry "*Justice*" and "*Execution*" when the King passed to his trial in Westminster Hall. Not much mercy was to be expected from Colonel Axtell on such an errand as this.

The account of the trial may be found in the original MSS. depositions in the Library of Trinity College, and will be given later on. It is somewhat surprising that Miss Hickson in publishing her transcriptions from these manuscripts omitted to include in her two large volumes the whole of the evidence at the trial, including that of Colonel Bagenal himself.† Considering that Miss Hickson took pains to assume his guilt and denounce his conduct without qualification it would have been at least more impartial to have given the prisoner's own evidence in defence. Instead of doing this Miss Hickson arrayed all the evidence given against him and then with some unconvincing comments upon Carte's defence of Bagenal, pronounces him guilty.

The charges of murdering English people may be roughly divided into those which were alleged to have been committed (a) in Carlow, and (b) in Kilkenny. A year after the rebellion broke out a Commission of Enquiry was issued by the Lords Justices in Dublin to take evidence about the massacres and murders which undoubtedly took place all over Ireland.

The only allegations against Colonel Bagenal before that Commission were made by Ann, Lady Butler, the wife of Sir Thomas Butler, first baronet, who lived a short mile from Dunleckney. Lady Butler, like her husband, was a Protestant and the daughter of Sir Thomas Colclough of Tintern Abbey, Co. Wexford, who

*Preface to the *Trial of the Regicides*, London, 1713.

†Miss Hickson's *Massacres in Ireland*, 2 vols. Longmans & Co.

had himself married a Bagenal *en seconds nocces*. Lady Butler had first married Nicholas Bagenal, the uncle by the half blood of Walter Bagenal, becoming a widow not long after, her husband having been killed in a duel.

It is admitted on all sides that the religious character of the rebellion coloured everybody's ideas and distorted every occurrence of that most terrible period. How could it have been otherwise? As Father Meehan says in his "Confederation of Kilkenny":—

"The Confederates had determined to rehabilitate Catholicism by taking possession of the cathedrals and churches, with their revenues, for the benefit of those whom the English schism had disinherited. In other words, they had bound themselves to reform the reformation, and to assert the supremacy of the ancient faith. Looking on this as a conscientious obligation—or affecting to regard it as such, as some of them did, they held that the war they had begun to wage was a veritable crusade, and that the enemies they had to encounter were, in the religious aspect, little better than blasphemous infidels."*

When family relationships are embittered by private and religious feuds it is not easy to accept the statements of either party. In her deposition Lady Butler relates not only the outrages committed on her own household but also the execution of 35 English Protestants at Leighlin Bridge. But she does not make any specific charge against Colonel Bagenal as having ordered them to be carried out. Her allegation that Bagenal together with James Butler, Lord Mountgarret's brother, "did use all possible means to move the said lord to put this deponent, her husband and family to death and torture," is serious enough, but it was not a charge of actual murder. The rest of the allegation is significant as bearing out the deep religious character of the outbreak and the rancour it procured:—"Alleging that they, the Butlers, were rank puritan Protestants and desperately provoking and these words saying 'there's but one way we or they' meaning Papists or Protestants must perish."

Lady Butler's house had been attacked by an armed band headed by Walter Bagenal himself, the Governor of the County; herself and family carried away *vi et armis* and kept close prisoners for weeks, her cattle stolen and her coach left to rot in Leighlin Fort. It is not surprising that her deposition was painted in the deepest of colours, for her fear and rage and fury must have been terrible and deserve every consideration. Her evidence proves that Colonel Bagenal was an out and out rebel, but it does not prove that he was a murderer in the accepted sense of the word. He certainly denied in his evidence anything of the sort. The second series of charges of the murder of Protestant Englishmen in 1642 were made on hearsay by Lady Butler in her deposition and were subsequently reiterated at the trial in 1652. They are much more serious and occurred at Graigne in Kilkenny on the southern borders of Carlow, where Colonel Bagenal had taken up his residence temporarily at Tinnehinch with Mr. James Butler,† brother of Lord Mountgarret.

*Rev. C. P. Meehan's *Confederation of Kilkenny*, p. 54. Dublin, 1882.

†He had been elected member for Co. Carlow in the Irish Parliament of 1634 with Sir Morgan Kavanagh.

It is clear that James Butler was instrumental in seizing a number of Protestants and sending them to Ross, where they were hanged. Although Colonel Bagenal denied responsibility for these murders, which were committed outside his jurisdiction as Governor of Carlow, it is clear from the warrant under his own hand that he gave the order for the execution of one man, William Stone, a carpenter. The original document, written and signed by Bagenal, wonderfully preserved, is to be seen attached to the deposition in Trinity College, Dublin, and expressly states that William Stone was a spy. In his evidence Colonel Bagenal confirmed this statement saying, however, that he did not remember whether it was by his order or that of a Colonel Edward Butler, a younger brother of James Butler, that Stone was put to death. But the document had been preserved by the person to whom it had been originally given and was produced at the trial.

Miss Hickson gives the following account of the affair, which on her own statement would prove that the warrant to execute a spy should have been sufficient to secure an acquittal, and nullifies her conclusions to that extent:—

“ James Butler of Tennahinch was the younger brother of Lord Mountgarrett, who was the father of 3 sons, viz. :—Edmund Roe, his heir Edward of Urlingford (whose examination is in this volume) executed like Bagenal for his share in the murders at Kilkenny in 1641—3: Richard also a Captain in the Irish army in those years. Carte’s abstract of the missing portion of the Plunkett MSS. which Mr. Prendergast copied for Col. Plunkett Dunne (v. aute. p. 107. note) gives the following account of Bagenal’s conduct, but it is shown to be wholly untrustworthy on the vital part of his guilt by the documents here printed for the first time:—‘ When Colonel Bagenal,’ says Carte’s MS., ‘ was by the Supreme Council made Governor of Co. Carlow, Mr. James Butler of Tennahinch, brother of the Lord Mountgarrett was competitor with him for the place and missing his aim, advised him to write a warrant to put William Stone to death. Bagenal, just then turned 30 (Butler about 60) ordered it. Butler advised the wife of the man who had Bagenal’s order to keep it carefully for preventing future danger. Bagenal when a hostage 10 years after was arraigned for this and other murders in Lady Butler’s deposition, who was summoned to give witness against him, though the whole story was but hearsay from one Dorothy Reinolds, wife to a native of the country, enemy to Bagenal on account of his estate. Nor does she charge Bagenal with the murder of the 35 and in her evidence she deposed nothing of consequence against him at his trial, so that he had been acquitted, if they had not arraigned the wife of the man as egging Bagenal thereto, who by his order executed Stone. She (this woman) heroically sent for a friend of Bagenal’s and told him “ Sir your friend Colonel Bagenal will be tried for the death of Stone, and I am imprisoned for it, all they aim at from me is to get the warrant my husband had for his (Stone’s execution) thereby to charge Bagenal. Here, take the warrant, carry it to Col. Bagenal, my life is not worthy to be saved when he is in danger, if he thinks it will injure him let him burn it. I’ll leave myself to God; if it will do him no hurt, bring it to me again.” Bagenal after perusing it

returned it. It was thus : " Whereas proof is made before me that William Stone, a late convert, hath lately and often resorted to the Garrison of Duncannon with intelligence as a spy. These are therefore to require you to apprehend the said William Stone and him so apprehended to hang till he be dead "—or words to this purpose. Bagenal though a hostage was tried and put to death at Kilkenny, tho he apprehended no guilt either on evidence of the warrant or rather his own confession, and yet so ill an opinion of their sentence (sic) that they sent in vain to Leighlin Bridge for intelligence of Sir John Temple's 35 murdered persons. As to John Temple's charges against Bagenal of designs against Lady Butler & et. they needed only to have left them to the rabble and it had been done." (*Carte Papers*, Bodleian Library, pp. 418 et seq.)

The original pages of the Plunket MSS. of which the above professes to be an abstract have long been lost or destroyed so that we have no means of testing its accuracy. But whether the abstract be true or false, the account it gives of Bagenal's conduct and the charges on which he was condemned and executed is, as I have said, shown by Lady Butler's deposition to be wholly untrustworthy. Plunket probably and Carte certainly, were too blinded by party prejudice to acknowledge what they must both have well known, that no prisoner in the High Court of Justice was ever found guilty of murder and executed for it when he could bring reasonable proof that the death of the person laid to his charge occurred in open war, or that such person, man or woman, was adjudged by the rules of such war a spy, and had been seized and sentenced to death while acting in that capacity.

A prisoner in the High Court like Lord Muskerry was tried separately for each murder of which he was accused. When he could prove one of these say 4 or 5 murders charged against him was really a case of sentence of death against a spy, he was pronounced not guilty of that charge, and then the rest were heard in turn, and if they were proved to have been murders of persons who had never acted as spies, but lived peaceably and were unarmed, the prisoner was pronounced guilty of murder and executed accordingly; although he had been cleared of the guilt of the spy's death. Carte's theory which he would have us take for truth, that the finding of the warrant with the woman whose husband had hanged William Stone would have seemed the condemnation of Bagenal and saved her and her husband and that she acted heroically in sending it is untenable. The production of such a warrant as Carte gives would have almost certainly procured a verdict of not guilty for Bagenal, the woman and her husband, inasmuch as it distinctly states that Stone was employed as a spy against the Irish army. The warrant in the books of deposition in Trinity College differs somewhat from Carte's copy and is as follows:—" Whereas proofs have been made before me that Mr. William Stone (illegible) is a spy and hath of late resorted to Duncannon and that he would be a guide to the enemy to distress the country and the inhabitants thereof, this order is given to apprehend the body of the said William Stone and having so apprehended him to hang him for which this shall be your warrant. Dated at Tennahinch 2nd May 1642. — Walter Bagenal."

It was often difficult to ascertain whether the person killed had been really acting as a spy between the hostile armies. Prisoners brought before the High Court endeavoured sometimes to prove by perjury that their victims were spies (knowing the result would be a verdict of not guilty) when in fact they were nothing of the kind, but inoffensive men and women endeavouring to live in peace, or to escape to Dublin or England. Some of the rebels as we have seen put a very wide interpretation on the word spy and murdered or wished to murder those poor fugitives lest they should "carry news to England" or the English army. The judges in 1652-4 had no easy task to ascertain the truth in such cases, but the prisoners were allowed to make the best defence they could and call witnesses on their behalf. If William Stone had never been hanged it is probable that Bagenal would have been condemned on the evidence of Lady Butler, who swore positively that he had urged Lord Mountgarrett to murder her and her husband. She may have been too willing to listen to rumours and may have been deceived by Dorothy Reynolds and Jane Jones, but she was an eye-witness and an ear-witness of what she relates about Bagenal and James Butler, and no impartial person will reject her testimony. Taken in connection with the depositions of Mrs. Shirley, Morris Kelly and others, the evidence was quite enough to condemn Bagenal. Carte's observations of her depositions are alike incomprehensible and absurd. The following letter from Lady Butler to her brother-in-law, Brian Kavenagh, son of Sir Morgan Kavenagh, is amongst the MSS. of Trinity College, Dublin. Lady Butler and Mrs. B. Kavenagh were the daughters of Sir Thomas Colclough of Tintern. The spelling of this letter, bad as it is, is quite as good as that of many ladies of rank in both islands between 1600 and 1700:—"To my loving brother, Bryan Kavenagh, Esq. Dear Brother, I am hartily greaved for the trouble you are in, and do condoale with you as being one that hath felt it. And now I was told by Bryan McWilliam who came from the Co. Carlow that they will preasently apprehend you and commit you to the Black Castle of Loughlin. Yow do not know what may befall you in it, and I do think it is the saffer way for you to come hither, where my Lord of MtGarrett is, who I hope will use you no worse than he hath used us; but he hath been earnestly pressed to take away my life by your unkle James and Bagenal, but I thank God he refused it. So God grant yow may find the same favour at his hands, but yow must instantly heaste away. Thus besecching the Almighty God to direct yow to the beste and to grant yow favour amongst them first. Your trewly loving sister, Ann Butler."

Brian Kavenagh's mother was the sister of Lord Mountgarrett and of James Butler of Tennahinch. From her marriage with Sir Morgan Kavenagh (chief of the sept called Sleight Polmonty) descends Arthur Mc Murrough Kavanagh of Borris, Co. Carlow, formerly M.P. for Co. Carlow.

[It only remains to give the report of the trial of Colonel Bagenal at Kilkenny, for which see Appendix.]

CHAPTER XVI.

AFTER COLONEL BAGENAL'S DEATH.

The sad fate of Colonel Walter Bagenal had one compensation denied to so many of his contemporaries. Though his estates were confiscated his family were spared the misery of the Cromwellian transplantation to Connaught. As we have seen, his wife was an English lady, daughter of Lord Teynham, descended from the same family as William Roper, son-in-law of Sir Thomas More. Previous to her marriage with Colonel Bagenal she had been married to Mr. John Plunkett, a gentleman of property in Co. Meath, connected with many leading Catholic families, by whom she had a son, Nicholas Plunket, who subsequently took a prominent part in the Catholic Confederation. By her first marriage she was entitled to jointure lands which her son Nicholas now sought to make available for her use. The cruel death of her husband, coupled with the destitution of her fatherless children, and the calamities of the times, overthrew her reason. Plunket petitioned the Council in Dublin asking to be allowed to manage the jointure estate on behalf of his mother and her family. The petition was granted only to a limited extent. The lands were seized for the Cromwellian soldiery and all that was allowed Mrs. Bagenal was £40 a year, to be paid to her son for her support. The Order in Council was signed on 9th May, 1653, by Charles Fleetwood, Ed. Ludlow, John Jones, and Miles Corbet, of whom last-named more anon.

In a short time, however, the distracted widow ceased from troubling. In less than two years she sank brokenhearted into her grave, leaving her orphan children to the mercy of the Puritan Government. The fate of their father had evidently touched the Puritan leaders with remorse. Moreover, they had powerful friends in some of their Welsh and Irish cousins, who were still Protestants.

The Council now made an Order continuing the allowance of £40 to the children, but this was afterwards revoked, and an order issued that her daughter "Katharine Bagenal should be provided for in some good family at Dublin, and that the second two brothers, Dudley and Henry, should be educated and provided for in the 'free schools' at Dublin. Dated at Dublin, 17 April, 1655." This arrangement was carried out, but before dealing with the history of Dudley Bagenal, which is a long one, it may be as well to finish the story of the younger children. Of Henry not much is recorded, but he lived through the Commonwealth and kept in touch with Lord Ormonde. Katharine's fate was most extraordinary.

After the death of Colonel Walter the barony of Idrone was, of course, forfeited to the Commonwealth. The counties of Dublin, Kildare, Carlow, and Cork

were reserved for the benefit of the more intimate friends of the Cromwellian Government, who lost no time in appropriating the finest estates. One of the leading men was Chief Baron Miles Corbet, one of the Commissioners for the affairs of Ireland, who seated himself at Malahide Castle, the ancestral dwelling of the Talbots since the days of King John. The Chief Baron, as one of the Government, must have authorized the detention, though a hostage, of Colonel Bagenal. He must have known his position and circumstances, rejected his plea, and sanctioned his execution. The next step was to get hold of the victim's lands, and this was an easy task for one so highly placed in office. The Chief Baron had a nephew John Corbet to be provided for out of the confiscations now proceeding. He accordingly petitioned the Council in Dublin to become tenant of the lands of Idrone, and the Council forthwith on 9th March, 1656, "Ordered that the Petitioner make his application to the Commissioners appointed to sett and lett the lands belonging to His Highness, and the Commonwealth in that County, who are to treat and proceed with the Petitioner for the premises desired according to instructions." Clearly the matter had been previously settled quietly by Chief Baron Corbet at the Council Board. All that John Corbet had to do was to ask and the Barony of Idrone was his.

This was by no means all. The Chief Baron had further ends in view. On the death of her father and mother, Katharine and her brothers, Henry and Dudley, had been removed by the Commissioners from her friends and relations and placed with a Protestant family in Dublin, within the reach and under the influence of the Corbet family. Dudley, her eldest brother, had been sent to Oxford. She was alone in the world. Nothing looked less likely than the disappearance of the Cromwellian regime, and she was beset by offers of marriage from John Corbet. If Katharine was forced by the exigencies of circumstances to marry, as she did, the nephew of her father's destroyer, the lines of the Danish ballad would apply very closely to the union:—

Afar from home they made her wed
The man her father's blood had shed.

They made her wed
The man her father's blood had shed.
It was by murder foully planned,
My father sank beneath thy hand—

Foully planned—
My father sank beneath thy hand.
None else than thou my father slew,
And my distracted mother too—

My father slew
And my distracted mother too.

(Ancient Danish Ballads. Williams & Norgate, London, 1860.)

On the other hand it is possible that there was in the 17th Century a romance equalling that of Mabel Bagenal and the Earl of Tyrone in the 16th Century, and

that John Corbet was beloved by Katherine Bagenal. The fact remains that she, a Roman Catholic, married the English Puritan and survived him. After his death she married Patrick Colclough of Duffry Hall, Co. Wexford, a member of a Staffordshire family of Elizabethan origin with whom the Bagenais had already intermarried on several occasions.

Before recounting the story of Dudley's life it may be as well to make mention of Lieutenant Colonel Thomas Bagenal, younger brother of Walter, who served throughout the Irish wars of 1641-1652 in the Confederate army of Leinster. His name is given in the State papers as belonging to the Earl of Westmeath's regiment, of which Sir James Dillon was Colonel. The regiment consisted of 750 men besides officers.

The fate of Colonel Thomas Bagenal was almost as tragic as that of his brother. In common with several other Carlow Roman Catholics he was forced to transplant with Jane, his wife, and an afflicted brother, Nicholas, into Connaught in 1653. He petitioned in 1655 to be allowed to come back into Leinster on business for a limited time and received the following reply from the Commissioners of the Government: "Upon consideration had of the within petition of Col. Thos. Bagnall It is thought fitt that the said Colonell reside in Connaught conforming to rule, Butt on application made to the Governor of Athlone he may have libertie from the said Governor for one of his servants to return to Leinster (iff a real necessitie thereof appear for the ends mentioned in the Peticion) and for such tyme as shall by said Governor be thought espedient thereto, provided good securitie be given for the said servant's returne att the expiration of the said terme allotted him. Dated at Athlone 16 Jun 1655."

Colonel Thomas Bagenal had a property of some 379 acres at Donganstown, Co. Carlow, which probably required his superintendence and made him anxious to return. The condition of gentry driven into Connaught with their wives and families was sad enough. Deprived of their accustomed accommodation some went mad or died; others hanged themselves, and hundreds, throwing up their allotments or selling them for a mere trifle to the officers of the State, fled in horror and aversion from the scene and embarked for Spain. Those who were forced to stay endured miseries and privations indescribable. The end of Colonel Thomas Bagenal is obscure. We know that he was transferred with a number of other Carlow Catholics to Connaught, and his small estate confiscated; but the name of Bagnall was still existing in the Counties of Cork and Tipperary in the 18th Century.

CHAPTER XVII.

DUDLEY BAGENAL.—(Continued).

Dudley Bagenal was the second son of Colonel Walter Bagenal. His elder brother George, named after his grandfather, was one of the numerous victims of the Civil War which broke out in 1641. A letter from Bellings to Ormonde dated Loughrea, 12 May, 1651, gives a short account of the young soldier's death: "Young George Bagenal, Walter's son, who roused by the heat of youth and height of courage rashly to break from his company in pursuit of an officer of the enemy whom he killed at the Castle gate of Inniscorthy, Co. Galway, but was in coming off shot dead upon the place." (*Carte Papers*, vol. 29, p. 366).

There is no record of Dudley's birth. His father succeeded to the estates in 1625, when he was a year old, and supposing he married at 21 Dudley would probably have been born about 1638.

When Dudley Bagenal came under the guardianship of the Cromwellian Government he was lodged with a Puritan family in Dublin, while he was being sent to study at the Free School in that City. The following order was issued for this purpose:—

25/12/1654. Dudley Bagenal. It is ordered that Mr. Stephens Master of the Free School in Dublin do take the charge of Dudley Bagenal son of the late Colonel Bagenal and do educate him in the free School of Dublin on the Publique A/c, and that for the defraying him his charge in accommodating him as aforesaid he be allowed the yearly sum of £20. The boy was there 4 years. Dudley was next sent to Oxford where he matriculated at S. Julius College 8. Dec. 1658. In the same year he became a student of the Middle Temple. It was obvious that his training at the Dublin Protestant Free School had very little effect on his early religious and political training, for in 1661 we find his name attached to the "Faithful Remonstrance of the Roman Catholic nobility and gentry of Ireland" which was presented to Charles II. Subsequently in a Petition to James II. he declares he was "engaged in several risings which were for his late Majesty's Restoration."

Dudley matriculated at St. John's College, Oxford, 8 December, 1658, and in the same year became a student at the Middle Temple.

On leaving Oxford he states he was "A Volunteer in the first Dutch war along with Colonel James Porter." Afterwards in the time of the Popish Plot he was obliged to fly into France where he lived some years with his wife and family.

Dudley married, first, Ann, second daughter of Edward Butler of Ballyraggett, Co. Kilkenny, but she died without issue. He married, secondly, in 1668 Ann, daughter of Mr. J. Mathew of Thomastown, Co. Kilkenny, a cousin of his first

wife, by whom he became the father of eight children, viz. :—Walter born 1671, Nicholas, George, Dudley, Mary, Margaret, Catherine, and Ann.

This second marriage was the result of a kindly bit of match-making by Lord Ormonde, who never lost an opportunity of serving the family of his unfortunate kinsman. The following is probably addressed to Walter's brother, Henry, of whom little is known.

Dublin. 6. Feb. 1667. Sir, If you had not been so far removed from the reach of correspondence with this place I should before now have informed you of a match I have procured to be concluded betwixt our Kinsman Dudley Bagenal and a niece of mine, the daughter of my brother Mathew wherein I am confident he will find all the advantage and satisfaction he could expect from a competent virtuous and good wife, and friends equally careful of them both. Upon this assurance I am no ways doubtful of your approbation which yet my cousin Dudley would be very glad to receive before the consummation and which in his behalf is delivered by, Sir, Your most affectionate and very humble servant,

Ormonde.*

At the Restoration of King Charles II., in 1660, Dudley, with the Ormonde influence behind him, was not long in being reinstated in his Carlow Estates. His petitions to the Lords Justices and the King's letter in his favour are interesting as containing authentic family history. The first runs as follows:—

“The humble petition of Dudley Bagnall Esq, of the Barony of Idrone in the County of Catherlough Esq.

“Sheweth that your Suppliant's estate, descended to him from his ancestors, lyeth entirely in the Barony of Idrone and Co. of Catherlough and not disposed of to the Adventurers or Soldiers: That your Suppliant is and always hath been a Protestant according to the principles of the Church of England: That he is now in his Majesty's actual service: That by an act high of injustice and oppression he was kept out of his Estate, now in chardge in His Majesty's Court of Exchequer at £800 per annum, for many years past until His Majesty's happy restoration: That he humbly conceives and is informed by his counsel that for the last Michaelmas rent of that part of his Estate by your Lordships otherwise disposed of for His Majesty's service recompense is of right due unto him.

“His humble suit unto your Lordships is to issue your order to all His Majesty's Officers whom it may concern to restore the Petitioner to the actual possession of his said Estate pursuant to the Laws of the land and his birthright, and to give order for some recompense for the s^d last Michaelmas rent to be paid unto him to pay some debts in England by him incurred in His Majesty's service and thereby so enable him to plant and settle his estate: And to order that his Estate be put out of charge as for Michaelmas last.

“And your suppliant therefore prays, etc., etc.”

The Petition dated 26th February, 1661, is as follows:—

“In 1653 the year after the petitioners father was murdered by a pretended

*A Copy of my Letter to Mr. Bagenall. (*Carte Papers*. Vol. 49, p. 315.)

High Court of Justice sitting at Kilkenny, petitioner was ordered £30 a year by those who governed 'for his maintenance and education at the free school of Dublin,' where he remained about 5 years; and being 2 years since sent to Oxford with a promise of continuing your petitioner the said allowance, together with a further increase of means; yet your suppliant never received the benefit thereof by reason of the changes which came one upon the neck of the other, and ended in the Restoration. He prays that his pension may be paid with arrears and some increase until his estate is restored. It is in Carlow which county was not allotted to adventurers or soldiers and the revenue of which came into the Exchequer. The manor and lands are at present possessed by Colonel Daniel Axtell, and petitioner's title is opposed. He is ruined thereby and has long been compelled to live beyond the seas attending your Majesty's happy return. Axtell for murders and cruelties has been declared an excepted person and his possessions forfeited to your Majesty. He prays for admission to the manors and lands in question."

Report of Sir H. Finch, Solicitor General, Sir M. Eustace, and Sir James Ware: They consider the facts which are stated. Walter Bagenal was "shot to death" on a judgement of a pretended High Court of Justice in Ireland and his lands seized and disposed to Colonel D. Axtell, who thus obtained the estate of the man he condemned to death! He himself was executed as a regicide. The interest which was not in Walter Bagenal was not forfeited and the trust accompanies the possession of them. They recommend that the petition be granted, etc., etc.

These petitions were completely successful, as will be seen from the Royal missive which follows. The following letter from the Marquis of Ormonde testifies that he had not failed to fulfil the dying request of Colonel Walter Bagenal:—

March 2, 1660.—Honest George.

I send you herewith his Majesties gracious letter in favour of my kinsman Dudley Bagenal a poor youth that is not skilled nor able personally to pursue his own interest and therefore I have undertaken it for him, and desire you to take it into your care as if it were my owne, for I conceive myself bound to value his concomements as such. When you have delivered his Majesties letter and mine to the Lords Justices I pray give me as speedy an accompt of it as you can.

I remain, Your affectionate friend. — Ormonde.

Whitehall, 2 March, 1660.

(*Carte Papers*, Vol. 49, p. 37.)

King's Letter in favour of Dudley Bagenal.

"February 26, 1660-1.

"Charles R,

"Rt Trustie and well-beloved Councillors and Rt Trustie and well-beloved cousins and Councillors wee greete you well. Having taken into our consideration the contents of the certificate of our Rt trusty and Rt entirely beloved cossin and Councillor James Marquis of Ormonde, Lord Steward of our Household, dated the 19th day of November last in the behalf of Dudley Bagnall sonne and heir to Colonel Walter Bagnall decd, wherein it appeareth that the Colonel Walter

Bagnall submitted to the peace made in Ireland in the year 1646, and wherein he was so instrumentall, that from the time of the Cessation concluded in that kingdom until the said yeare, he manifested so far his fidelity to the service of our late Father of Blessed Memory that hee kept continual correspondence with the said Lord Marquis of Ormonde then Lord Lieutenant General of that our Kingdom in order to the effecting of the said Peace when many others opposed the same; and being at that time Governor of the County of Catherlagh, did secure a stronge passage for the said Lord Lieutenant and the party under his comaund, and had then with his wife and children and family (retired) with the said Lord Lieutenant to Dublin, and quitted both his real and personal estate other than what he could then bring with him: but that in order to our late Father's future service hee was commanded by the said Lord Lieutenant to remain in the said County where soon after by the then prevailing power of the Pope's Nuncio he was dispossessed of the garrison that commaunded the said considerable passage called Loughlin Bridge, and committed prisoner to the Castle of Kilkenny, all which, notwithstanding, he still contributed his utmost endeavours for compassing that peace which was concluded by our authority in the year 1648, at which time the said Colonel Walter Bagnall served in our army in Ireland under the command of our said Lord Lieutenant and upon all occasions demeaned himself as courageously and faithfully as any person whatsoever and adhered constantly and affectionately to our said Lord Lieutenant until his departure out of that kingdom.

“ And after manifesting the like zeal to our service under the Marquis of Clanrickarde and until by the prevailing power of Cromwell, he with others of that Nation were forced to lay down arms: and after articles of warre concluded was by a pretended High Courte of Justice perfidiously put to death at Kilkenny being then a hostage in the hands of that prevailinge power.

“ In which barbarous proceedings Colonel Axtell one of the murderers of our said Royall Father was a principle contriver and actor as we are informed.

“ Wee have also taken into consideration that Captain George Bagnall, eldest brother to the said Dudley Bagnall, was slain in Ireland, serving under our authority: and that the said Dudley Bagnall himself hath given early testimony of his zeal to our service even when he was a student at Oxford. Wee may not therefore but be very sensible of the merits of the said Colonel Walter Bagnall and of his children. And how sadd it were that a person who hath so carefully looked after the benefitt of our Articles of Peace, and so indefatigably endeavoured the conservation thereof to the hazard of his life, liberty, and fortune should now bee frustrated of the mercys and advantages that were intended to derive thereby to our subjects in general, and especially to that family for whom not only their own but the eminent services of their ancestors to our Royal Predecessors doe highly merit our grace and favour, Sir Nicholas Bagnall and Sir Henry Bagnall his son, ancestors to the s^d Dudley Bagnall, Knights Marshall of Irel^d, having lost their lives in the service of King Edward the Sixth and of Queen Elizabeth, and Colonel Dudley Bagnall, great grand father to the s^d Dudley Bagnall being

killed at the head of his party fighting against those that were then in (arms) in that kingdom: *insomuch as they may justly say from father to son in several descents that they lived and ended their days for us and our Royal Predecessors.* We have therefore thought fitt and it is our will and pleasure that you take speciall care after this our Royal Letter and our late Declaration to inform yourselves how and in what manner wee may settle such an estate of his Ancestors or other lands upon him and his heires as may be equivalent to his father's estate and encourage him to continue in the path of an uninterrupted loyalty wherein his ancestors heretofore have served our Royal Predecessors: and not only to give us particular accompt thereof with all convenient speed, but to direct our Commrs appointed for the execution of our Declaration of this our Letter to doe what you shall think fitt for the said Dudley Bagnall's releefe according to our good intentions towards him, and as fully as our said Declaration will any way warrant, wherein you are to take especiall notice that wee shall account in you a speciall service to us that you effectually provide for him herein. And upon hearing from you of your proceedings, which wee require may be with speede, you shall receive our further directions iff need be of our approbation of your observance of this our Command. Given at our Court at Whitehall this 26th day of February 1660-1.

“ By His Majesty's command,

Edward Nicholas.

“ Directed,

“ To our Rt Trustie and Well beloved Councillors, and to our Rt. Trustie and Well beloved Cossins and councillors our Lords Justices of our Kingdom of Ireland, and to our Governour or Cheefe Governours for the time being, and to every of them.”

Doubtless Dudley returned with his family to Dunleckney and resumed the life of a country gentleman, probably expecting to be allowed to end his days in peace and quiet in the land of his birth. At the time of the Accession of James in 1688 he had been in the possession of his property for 20 years and as he was now in his fiftieth year it may be imagined how bright his prospects had become in comparison with the recollection of all the calamities entailed upon himself and his family by the civil war of 1641. Nor was he without ambition. Among the Ormonde papers at the Bodleian Library there is preserved the petition to King James II. on his accession to the throne already mentioned, praying for a place at Court. It runs as follows:—

“ To the King's Most Excellent Majesty. The humble Petition of Dudley Bagnall Esq. Sheweth, that your Petitioner addressed himself early to your Majesty at a time he thought your Majesty might have occasion to prove the loyalty of your most staunch and best subjects: That his proffer proceeded not from any manner of ostentation, but from his fervour, and the assurances he drew from his fortune and friends, and the full resolution he had of performing, which was very well grounded.

“ That His Grace the Duke of Ormonde is well acquainted with the character

of your Petitioner's ancestors, and of their merits, sufferings, and services: That he had several tryalls of Colonel Walter Bagnall's, both against the Nuncio and Cromwell, till finally the said Colonel, your Petitioner's father, being a hostage of warr, was barbarously executed at Kilkenny in the year 1652, by order of the Usurpers.

“ That as your Petitioner was upon all occasions, so will he ever be ready to imitate the zeal of his said ancestors' hereditary loyalty; and being a student at Oxford was engaged in several risings which were to be for his late Majesty's Restoration, as did appear by certificate formerly produced, after which he was a volunteer in the first Dutch warr along with Coll. James Porter: That likewise (with his Grace the Duke of Ormonde's permission) he was obliged in the time of the pretended Popish Plott to fly into France, where he lived some years with his wife, children, and ffamilie.

“ That your Petitioner merely from the motive of his ambition to be employed in your Majesty's service covetts extremely to be of your Majesty's ffamily and attendance in what qualitie your Majesty shall think fitt, all which is the humble request of your Petitioner.

“ Who will ever pray for your Majesty's prosperitie.”

The request was evidently not granted, but curiously enough not long afterwards Dudley was fated to hold a position in the mock Royal Court of the deposed Sovereign at S. Germain.

King James came to the throne in 1684-5 and the Roman Catholic community in Ireland were naturally full of high hopes for their future recognition both in political and religious affairs. They rallied loyally and courageously to the King. No class, indeed, of the Stuarts' subjects were ever more loyal personally than the Anglo-Irish gentry. Dudley was appointed Lord Lieutenant of the Co. Carlow, and on 1st May, 1689, was returned a representative with Colonel Henry Luttrell in the second Irish Parliament of King James for the Co. of Carlow.

When King William decided to invade Ireland, Dudley was appointed Colonel of a Regiment of Infantry, which in all probability he levied and paid for himself in the County. The details of the Regiment have come down through a French source, and are as follows:—

REGIMENT de BAGNEL.

Captaines.	Lieutenants.	Enseignes.	Hommes effectifs. compris sergents
Duyer (Dwyer), grenadier	Buttler et Buttlet	—	10
Bagnel, colonel	Bourke	Comerford	42
(O) Brian	O'Brian	Lenan	46
Hogan	Maurice	Hogan	33
Moclar	Tobin	Moclar	27
Power	Wadding	Power	25
Prendergast	Prendergast	Blakeney	38

Magher	Magher	O'Bryan	26
Gaffney	—	Bourk	36
Roche	Prendergast	Ketin	63
Pourcell	Dwyer	Purcell	63
Fannin	Connor	Betrige (? Betagh)	38
Power	Power	Power	68

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Estat major :—Le sieur Bagnel, colonel. Le sieur Power, lieutenant-colonel. Le sieur Corbet, major. Le sieur Tobin, ayde-major. Dohorty, marechal des logis. Begly, aumosnier. Tobin, chirurgien.

On the 18th June, 1690, his regiment was stationed at Dundalk (as appears from Capt. G. Gaffney's Autograph Memorandum book), and furnished a guard to defend the Moyry Pass (The Gate of Ulster) against the advance of King William. But King James retired Southwards with the object of defending the passage of the Boyne, a fatal error in strategy. A week before the famous battle Dudley's regiment was encamped at Cookstown, near Ardee, where were also in the second line on the right 3 regiments of horse, Lord Clare's, Sunderland's and Parker's; and 6 regiments of foot—Hamilton's, Lord Meath's, Sir M. Creagh's, MacGillicuddy's, O'Briens, and Lord Tyrone's. This is not the place to describe the total defeat of James's Army at the "Breach of the Boyne." For the owners of landed property in that struggle all was lost in the final rout. By an Inquisition of Office, as it was called, held at Carlow on the 8th December, 1690, before the King's Excheator of the Province of Leinster, Dudley Bagnal was attainted. It was found—"That the said Dudley Bagnal and other false traitors and rebels against the said King and Queen, compassing to deprive them of their government of the Kingdom of Ireland, traitorously assembled themselves and made an insurrection on the 1st of May in the first year of their reign, being arrayed in warlike array with banners, swords, cannon, and other weapons, as well offensive as defensive.

"And that the said Dudley Bagnal after the said 1st of May was 'locum tenens (Anglice Leivetennant)' of the county of Catherlagh aforesaid, and one of the Commons assembled in a pretended Parliament held at the King's Inns, in the city of Dublin, in the aforesaid month of May, and the said Dudley Bagnal with other traitors there assembled, as far as in him lay traitorously made divers ordinances in subversion of this Kingdom of Ireland, and in destruction of the Protestant religion of this Kingdom of Ireland, of which several treasons the said Dudley Bagnal was attainted on the 12th February in the year aforesaid."

During the brief period of his power in Ireland King James had granted to Colonel Dudley Bagenal the estates in the North of Ireland which had descended from Sir Nicholas Bagenal to his great-grandson Nicholas. The evidence of this high-handed proceeding is to be found in the proceedings of the House of Lords, where mention is made of an affidavit of Henry Pilkington. It runs as follows :—

" 17 Dec. Affidavit of Henry Pilkington, of Mulloghitee, in the County of Louth, Gentn, deposing that one Richard White had taken possession of Deponent's house in December 1688, and seized his goods for the use (as alleged) of Col. Dudley Bagenall, by order in writing from one Rowland White, who acknowledged to Deponent that he had given the order, in regard King James had granted Nicholas Bagenall's Estate in Ireland to the said Col. Dudley. Deponent adds that he had also been dispossessed of the lands of Mullabane, and Ballyonane in favour of the said Col. Dudley. *Sworn* 6 Nov. 1690. .

" Examination of Francis Chaddock, of Newry, in the County of Down. Deposes that some time before the end of June 1689 Examinant saw Dudley Bagenall, of the town of Newry, and with him a regiment of foot under his command, on their march towards Derry to serve the late King James in the siege of that city. Examinant also saw Rowland White, of Crowbane, in the County of Down, in the yard of an old castle belonging to Nicholas Bagenall, of Greencastle, in the same County, take a piece of earth into his hands, and in the presence of several witnesses, deliver it to the said Dudley, and declare that he gave him thereby possession of the estate. *Sworn.* 13 Aug. 1690."

It would certainly appear from these acts of Colonel Dudley Bagenal that he had good hopes of the success of the coming campaign, or he would hardly have stopped on his march to carry out the legal procedure described of "livery of seisin." Supposing the attempt to get possession of his cousin's property was legal, it proved abortive, for not long after Dudley had fled the Kingdom a prescribed traitor.

CHAPTER XVIII.

COLONEL DUDLEY BAGENAL IN EXILE.

When James II. fled from England to join his Queen Maria, he found her established, by the kindness and hospitality of Louis XIV., at the ancient chateau of St. Germain-en-Laye. In those days it was different from the present-day building. Though Louis XIV. had been born there his mother, Ann of Austria, had abandoned the chateau and for many years it had been deserted and dismantled. But now the French Monarch, with an openhanded generosity worthy of his proverbial magnificence, had refurnished and redecorated the rooms for the reception of his exile guests and relatives. On the King's arrival Louis himself set out from Versailles and received him with a truly royal welcome, saying with the courtesy and cordiality of a great gentleman: "You will give me great pleasure if you let me know all that you want. You are the master of my Kingdom." From that day to the day of his death James was the honoured guest and pensioner of King Louis, who made him a regular allowance of 600,000 livres a year.

Here at St. Germain the exiled King kept his curiously assorted Court and endeavoured to uphold, as best he could with straightened means, the dignity of pretended royalty. The King's own account written in his Memoirs is worth reproducing:—

"The King submitting patiently to his fate began to think of settling himself at St. Germain, and of modelling his family and his way of living suitable to the pension of six hundred thousand livres a year, which he received from the Court of France, and which he managed with that prudence and frugality as not only to keep up the form of a Court by maintaining the greatest part of those officers that usually attend upon his person in England, but relieved an infinite number of distressed people, antient or wounded, widows and children of such as had lost their lives in his service; so that tho' the salaries or pensions he allowed were but low, yet scarce any merit ever went without some reward, and his servants had wherewithal to make a decent appearance, so that with the help of the guards (which his Most Christian Majesty appointed to attend him, as also upon the Queen and Prince) his Court, notwithstanding his exile, had still an air and dignity agreeable to that of a Prince, for besides those of his family and several other loyal persons both Catholics and Protestants, who chose to follow his fortune, there was for the most part such an appearance of officers of the armie, especially in the winter, as would have made a stranger forget the King's condition and have fancied him and his at Whitehall. . . . There was no distinction made of persons on account of their Religion. Protestants were countenanced, cherished and imployd as much as others; indeed the laws of the country would not permit

the same privileges as to public prayers, burials and the like, but the King found means of mollifying what he could not obtain a total relaxation of.”*

Dudley Bagenal had a friend at the Court of St. Germain in Colonel James Porter, Vice-Chamberlain to King James, with whom he had served in Flanders. Through his influence he obtained a position in the King's household as a gentleman Usher, which he held for some time. His name appears in a court list still extant and was duly gazetted, as the records prove.

This list was given by Matthew Prior to the Earl of Portland. It is in the handwriting of Prior's secretary, Adrian Drift, who has endorsed it: “An Account of ye Late King James's Household etc., *at St. Germain.*” (The words in italics are added by the second Duke of Portland, who went through his grandfather's papers.) To this Prior has added “to be given to my Lord.”

The Lord Chancelr Herbert	Chancellour
<i>livres.</i>	
6000 The Lord Middleton & Mr. Carrol... (each)	Secretaries of State
5000 Sr. Richard Naigle	Secretary of Warre
<i>pistoles</i>	
400 Mr. James Porter	Vice Chambrn to ye King
400 Mr. Robert Strickland	„ „ „ Queen
2800 David Floyd, Trevanion	Grooms of ye Bed Chamber
(each) Slingsbee, Beedle MacDonnel	
1200 Bagnel, Franc Stafford	Gentlemen Ushers to ye King
Mr. Carney, Vivel and Hatcher	
Mr. Crane and Mr. Barry	Gentlemen Ushers to ye Queen
Mr. Conquest, Sr Willm Ellis	Commissrs of ye Green Cloth
400 Mr. John Stafford	Comptroler
Mr. Richard Hamilton	Master of ye Wardrobe
Mr. Labadie, Mr. Lavarie	Valetts de Chambre
My Lady Tyrconnel, The Lady Dalmont and Lady Sophia Buckley }	Ladies of the Bed Chamb.

To the Prince :—

<i>liv.</i>	
1500 The Ld Perth, formerly Chancellor of Scotland, and Mr. Ployden	Governors
Mr. Leyburn and Mr. Vivel	Grooms of ye Bed Chamr.
Depuis gentleman Usher	Queries. [Equerries.]
Capt. Magirs, young Beedle & Mr. Buckingham	
Mr. Barkenhead and Mr. Parry	Clerks of the Kitchin
The Ld Griffen is a Volontiere	Volontiere
sometimes there and as often at Versailles	

**Memoirs of James II.*

A great many Chaplains and Servants below stairs.

(The sums in the margin are added by Prior.)

Amongst the household were some members of the ancient Catholic family of Strickland of Sizergh in Westmoreland. Robert Strickland was Vice-Chamberlain to the Queen. Sir Roger Strickland, formerly Vice-Admiral of the Fleet, and Lady Strickland also accepted positions in the Court. It may have been owing to the chance connection of the families at St. Germain's that Dudley Bagenal's grand-daughter Mary subsequently married Jarrard Strickland, son of Walter Strickland of Sizergh.

When James II. died in 1701 his son James The Chevalier for some years carried on the Court of St. Germain's and continued Colonel Dudley Bagenal as a member of his household. But straightened in means and with a large family to support he soon after retired to Flanders and took up his residence at Bruges, and there died in 1712.

The Royalist party during Cromwell's predominance made Flanders a favourite place of refuge. It was in 1655 that Cromwell entered into an alliance with France and King Charles II. quitted the country, and, in 1656, went into Flanders, then Spanish territory. He employed Ormonde in France to give the Irish Regiments to quit the French service and return to the Spanish service. Several regiments were formed out of those lately employed in the French service. Ormonde had one regiment, the Duke of York and the Duke of Gloucester had others, and other regiments were called after Colonel Grace, Colonel O'Ferrall, Colonel Davey, Colonel Dempsey, and others. These regiments were embodied at Mardike in Holland, and remained there until 1662, when they were disbanded. Flanders, therefore, was well known to hundreds of Irishmen of that period. The King himself was under great obligations to an Irish nobleman, Anthony Preston, Viscount Tara, in whose house at Bruges he lodged for a month. Lord and Lady Tara died there, leaving their children in charge of their aunt Miss Warren who was residing with them on the occasion of the King's visit. In 1682 Ormonde wrote to his son the Earl of Arran, that he hoped pensions which had been advised for Miss Warren and the orphan would be paid "in consideration of the reception Miss Warren gave to the King and all of us at Bruges in her sister's house." Bruges therefore was well known to the Stuart cause as a city of refuge.*

Bruges is a town which must have commended itself to an exile of cultivated tastes and straitened means. Its ancient features are preserved to this day. Its corporate life, the fine market square, its celebrated Bell Tower, its fine architecture, its picturesque canals, its Beguinage, and above all its splendid churches, held much to interest and sustain a man worn out with poverty, anxieties, and

*In the *Pepys MSS.* there is a letter from Thomas Allen to the Lord Chief Justice St. John Ambassador in Holland mentioning "one Coult's house at Bruges" as a favourite meeting place there for the Jacobites. He describes them as "the most invective men I have heard." Conspirators' oaths are thus nicely described especially perhaps after being unable to get money from someone who may have been their banker.

misfortune. Being near the sea it was accessible to the numerous Royalist agents from England and Ireland who at that time were continually passing between the Continent and the exiles' old home. The only consolation Dudley Bagenal could have had was that his attainder did not affect his eldest son Walter, who, in all probability, did not accompany his father. Dudley died in the parish of St. Anns, in whose fine spired church the owner of Dunleckney doubtless regularly worshipped and obtained the consolations of the faith to which, like his father, he was so devoted an adherent. He died on August 9, 1712 (old style), aged 74, and may possibly have been buried in St. Anns Church, but no tablet exists on the walls to mark his resting place.†

Two of Dudley's daughters became Nuns of the Order of Poor Clares at Gravelines, viz. : Sister Mary Magdalen, who was professed 6 February, 1691, aged 18 years, died 8 June, 1709, aged 37, in religion 19 : Sister Catherine Dominick was professed the same day, aged 17, and died 8th April, 1736, in the 63rd year of her life, and 47th of her profession. She was 31 years Abbess of the Gravelines Convent of Poor Clares, and a portrait of her has been preserved and has been reproduced in "A History of the Poor Clares."* An amusing allusion to her social character will be found in the following letter published in Hist. MSS. Com. Stuart papers, Vol. iv., page 507. The writer is describing the journey of two Jacobites from England to the Continent :—

Captain Ogilvie to the Duke of Mar.—"They stayed the next day (at Dunkirk) and rested themselves, and thence went to the nuns of Gravelines, and there made a bargain and pensioned themselves. I doubt not you know who is Lady Abbess there. She is the sister of Bagnall (George) that is with Mr. Whytelye (Ormonde) and she knows every step Mr. Whytelye takes and you can easily judge what secretaries nuns are, but more particularly my Lady Abbess, who can keep nothing longer than she can find occasion to tell it."

From Abbot Snow's *Necrology of Benedictines*, one of Dudley's sons, his namesake, professed religion according to the following entry :—

"1708 D. Placidus Bagnall professed January 1699."

His youngest daughter, Anne, married Sir Gervase Clifton, Bart., of Northamptonshire. He was grandson of Sir Gervase Clifton by his sixth wife. Anne bore him four sons and one daughter, all living and unmarried in 1713. Dudley's second daughter, Helen, married Sir John Hales, whose first wife curiously enough was Helen, daughter of Sir Richard Bellings, whose name has appeared so frequently in these records as an intimate friend and colleague of Walter Bagenal during the Civil War. Lady Hales had three sons, James, Alexander and Philip. Portraits of these ladies are now in the possession of Mr. Ryan of Inch, Co. Tipperary, whose ancestors were friends of the Bagenal family and received them in custody in troublous times for safe keeping. Copies are now at Dunleckney.

†Note.—See Vol. 14 of the *Catholic Records Society*.



*Mother Catharine Dominic Baynall
7th Abbess of Poor Clares, Gravelines
From the painting Ursuline Convent, Greenwich*

T. 120 p. 113

Cath. Res. Sec. XIV

CHAPTER XIX.

MRS. DUDLEY BAGENAL, HER SON GEORGE, AND YOUNGER CHILDREN.

Colonel Dudley Bagenal left a widow and several children, the eldest of whom, Walter, succeeded to the Carlow Estates, the attainder of the father by a special Act of Parliament not affecting the son's inheritance. Concerning Walter there is sufficient for separate treatment, so I prefer to give some account of his mother and his brother George, both of whom figure in the State Papers of Queen Anne's day; and the younger children. Mrs. Bagenal was daughter of George Mathew, who was grandson of Elizabeth, daughter of Sir John Poynty of Acton. Elizabeth married, first, Thomas Butler, Viscount Thurles, by whom she had James, first Duke of Ormonde. She then married George Mathew the younger, of Thomastown, Co. Tipperary, and in this way her daughter was connected with the second Duke of Ormonde, who unfortunately attached himself to the Jacobite party and became a supporter of "The Pretender."*

Walter Bagenal was wise in his generation and was quite satisfied to receive back his estates and give allegiance to the new dynasty, though probably a Jacobite at heart. Not so his brother George, who had been brought up at the Court of St. Germain's and remained loyal to the Stuart cause. Mrs. Bagenal, on the other hand, seems to have played fast and loose with both sides, and the recently published Stuart Papers show that she was employed as a Jacobite agent to and fro between England and the Continent while she was at the same time engaged in litigation with her eldest son over her jointure arising out of his Carlow property, which, by the clemency of the Crown, she was able to enjoy† As will be seen from the following correspondence between the Duke of Berwick (natural son of James II.) and James III., as he was still styled, Mrs. Bagenal was, a year after her husband's death, utilized as a Jacobite envoy for the purpose of gaining the Duke of Ormonde's adhesion to the Stuart cause (the names between brackets denote the true personalities mentioned in the letters):—

Letter. G. Bagnall to Mr. Russell (The Duke of Mar). "1716. Thursday, Feb. 27, 4 p.m. The Duke of Ormonde is in town and begs to see you if

*In 1691 Mrs. Bagenal presented a petition to the Crown in which she states:—"At and before the Boyne Battle my husband was in a sickly condition and went into France, since when he has done nothing in opposition to the Government." She prays that her rights and her children may be preserved and that some allowance may be made them.—*Cal. S. P. Dom.*, 1691-2.

†The first Duke mentions: "My brother George Mathews who manages my affairs in his vindication to the King of his action concerning the case of Captain James Nolan in Co. Carlow.—*Carte*, Vol. 2, p. 431.

possible before you go to S. Germaine. He is at the Hotel D'Angleterre dans la rue St. Jacob." *Endorsed.*

The Duke of Berwick to James III. 1713. Sep. 7. "Mr. Parker (de Pontchartram) sent me another man who is born at M. Alain's (Germany) house but has always lived at M. Alencon's (England). He is come with a message from M. Orbec (Ormonde) or rather to give an account of this gentleman's good intentions of which he has been informed by Mrs. 43.96.20.28.52.21 (Bagenal)."

The Duke of Berwick to James III. 1714. Jan. 5. S. Germaines. "Ere yesterday I spoke here at large with M. Carry (Carte), who for all what M. Parker told me, has not seen Orbec (Ormonde) but only employed Mrs. 43.96.20.28.52.31 (Bagenal) to deliver the present sent by Mr. Robinson (James) so I only discoursed with him on general terms to learn what I could from him, but did not think it proper to open the chief matter relating to M. Raucourt's (James) affairs. I send your Majesty heare enclosed a letter that the above cyphered person writes to M. Robinson. I told M. Carry plainly that nothing could satisfy, but such a return as was made by M. Orbec, and that it mought very well be that the cypher person (i.e., Mrs. Bagenal) did not care to lett any one have to do with Orbec but herself, therefore that he should write to her that by all means she must get M. Orbec to satisfy M. Raucourt and that in case she compasses it then she may bring herself the present hither for she has a mind to come over about her own concerns."

The following is the enclosure referred to, viz.: Mrs. Bagenal's letter:—

"Having knowne myself under all the obligations imaginable of seeing you well served where I had any interest makes me take the liberty to assure you that 'tis verree far from want of due honeur or respect hinderes your having a full account att present of your conserns heer, but you may assure yourself of my constantt indeverss and of the integrity of the person I answer for as far as his power permitts he will himselfe give you testimonees of his fidellity: in the meantime I entreate youle belivve well of him as well as of your most faithfull and obedient humble servante." (The Duke of Berwicke's letter which conveyed the enclosure is endorsed "D. Berwick. 5. Jan. 1714. Mrs. Bagenal.")*

The Duke of Berwick to James III. 1714. March 27, S. Germaines. "I had a letter from M. Stanley (Stafford) who only speaks in general terms of M. Orbec's good intentions for M. Raucourt. I have writt to him to-night to press him and make him speak plane, for if M. Albert (Queen Ann) should break it be to late . . . I will also write to M. Orbec's cousin she having writ to me, and I will leave no stone unturned to gaine Orbec." This is evidently an allusion to Mrs. Bagenal, who was a cousin of the Duke of Ormonde.

*Note.—James FitzJames, 1670-1734. Duke of Berwick. Marshal of France, natural son of James Duke of York, afterwards James II., by Arabella Churchill, daughter of Sir Winston Churchill and elder sister of the Duke of Marlborough. Became celebrated as a successful French general. He married the widow of Sarsfield. Refused to join the attempt of the Old Pretender in 1715.

In another letter dated the following day the Duke of Berwick writes to James III. : " I will also write to Mrs. Bagenal to work and to send me word directly what he (Orbec) says without going thro so many hands."

(See *Stuart Papers of H.M. The King. Hist. MSS. Com.*)

A few observations may be made on this correspondence. Mrs. Bagenal was known as the " cypher person " and in cypher her name appeared in Jacobite letters as : 43.96.20.28.52.31. This shows that the name was then spelt with six letters as pronounced. The person alluded to as " Carry " is Mr. Carte, the well-known author of the *Life of the First Duke of Ormonde*, a monumental work which the lack of an index renders somewhat inaccessible for purposes of reference.

Mrs. Bagenal's " own concerns " which are alluded to, no doubt related to her husband's recent death and the consequent troubles about the younger children's maintenance. Her own letter to James evidently points to the obligations she and her husband were under to James II. and himself for their support at the Court of St. Germain's during exile, and her efforts to help the cause must be placed to her credit as a mark of gratitude and loyalty by no means to be omitted.

Mrs. Bagenal seems to have been a very active woman of great energy and spirit, and of a litigious temperament. She died some years after her husband at the age of 80. It would appear from the above correspondence that she had been persistent and successful in gaining over the second Duke of Ormonde to the Jacobite party. When the Duke finally decided to take the step, he appointed George Bagenal to be his *aide-de-camp* and travelling companion for several years (as may be seen from the correspondence quoted) ending with the Jacobite attempt against Scotland in 1719.

George Bagenal's character is not difficult to deduce from the correspondence of the Jacobites which has come down to us in the volumes of the Historical MSS. Commission. He was above all things a courtier and a man of pleasure. His knowledge of affairs no doubt he had acquired while Colonel Dudley Bagenal had lived at S. Germain's, and his musical accomplishments and love of dancing hereafter so ironically described by Fanny Oglethorpe proclaim the man well skilled in the graces of a French Court. He was, by his own confession, fond of good wine and glad to supplement one bottle with another if he was suitably entertained by a friend. Nor was he always discreet, though continually employed as a secret agent of the Jacobite party. Once he " gave away " the Duke of Ormonde so foolishly that he came under the censure of the Duke of Mar. Nevertheless, it is clear that his good address, command of languages, easy convivial manners, and knowledge of the world had commended him as a useful agent to the Jacobite leaders. We begin to hear of him after the abortive Jacobite rising of 1715, which was practically over in the beginning of 1717. James The Pretender and the Duke of Mar had escaped to France and the Jacobites in Scotland were dispersing. James took up his residence at Avignon, which was for some time the headquarters of the Jacobite party.

About this time took place the exiled Prince's search for a bride. How his affair with the Princess of Modena came to a disappointing end: how the Czar of Russia spontaneously offered him one of his daughters: and how it fell through because Colonel Charles Wogan, the thrusting Irish matchmaker, was beforehand with Marie Clementina, the beautiful daughter of John Sobieski, the warrior King of Poland*—all this is a matter of history as well as of fiction.

An errand to the King of Sicily to try and obtain permission for James II. to shelter in his dominions was George's next important adventure. Avignon, where the Prince had lived for some time, had become too hot to hold him. The French Government were unwilling to let him remain there any longer and he must needs find an abode elsewhere. At the moment in question the Jacobite agent at Turin where the King lived was Mr. Theophilus Oglethorpe, brother to James Oglethorpe, founder and Governor of Georgia, whose family had been loyal to the Stuarts through all their troubles and had suffered great losses in consequence. Oglethorpe was a blunt Scotsman who had not apparently been very successful in this particular business, and he was accordingly to be superseded for the time being by George Bagenal as a special ambassador.

Thus it came about that in June, 1716, George Bagenal was sent to Turin to deliver a letter from James to the Queen of Sicily, grand-daughter of Charles I., and to request her to use her influence with her husband to allow James to reside somewhere in his territories. He was not to own that he was sent by James to any persons except the Queen and such as she should direct. To others he was to represent that his sole object was to get service for himself in the King of Sicily's army. If he failed he was to propose to the Queen that her husband should take into his service some of the exiled Jacobites and to represent to her James' great occasion for money to support many of his subjects who had lost all on his account.

The Queen of Sicily told Bagenal that the necessity the King was under of keeping fair with the Elector (King George) would not permit him, she feared, to comply with what was desired, and later that, when mention was made last winter of the same affair, the King found it impossible for him to consent, and he even desired that, if James was obliged to retire into Italy and to pass that way his stay might be as short as possible, and that he himself might be excused from seeing him. The King could not take into his service men directly from Avignon, but she gave him some hopes that if they were removed thence for some time, so that it might not appear they had been concerned in the rising, something might be done for them. As for money, she said whenever occasion offered, the King would be very ready to assist if a proper channel were found to convey it.

The King himself refused the proposals both about the officers and the money, saying his situation was such that he could not disoblige England and hoped

*See *Clementina*, a novel by W. E. Mason.

James would not desire things of him that would incapacitate him from serving him effectually when occasion offered.

It had been suggested in March (1716) that James should declare the Queen of Sicily* and her son Prince of Piedmont his heirs in default of heirs of his body. The House of Savoy always kept in view the possibility of their succeeding to the English Crown, and even after the death of Charles, Edward procured from the Cardinal Duke of York, the Titular Henry IV., an acknowledgement that they were his heirs if he died without issue.

The following were George Bagenal's instructions:—

James III. to Mr. Bagenal. 1716. June. “You are to go forthwith to the King of Sicily's Court, where you are to deliver our letter to our Cousin the Queen and represent to her that we have but too good ground to apprehend that we shall be very soon forced to leave our present residence by those who have many ways in their power to do it, our enemies having prevailed with them, and that we should be obliged to reside somewhere in Italy.

“You are to do your utmost to convince her of the prejudice it would be to us to go far into Italy, and therefore we entreat friendship with her husband that he may allow us to reside somewhere in his territories, which we hope, as the affairs of Europe now stand, could be of no prejudice to him, and a very great obligation to us.

“It shall be no occasion of any charge to the King of Sicily, and should he have occasion for men we can assure him of many of our own subjects entering his service.

“You are not to own your being sent by us to any but the Queen herself and such as she directs, and are to follow her orders in speaking of your message to the King or any of his Ministers; to others you are to represent your coming to be only to get service for yourself in the King of Sicily's troops.

“You are to endeavour all you can to get a speedy answer, as there is no time to be lost, and when you get it to make all the haste back to us you can.

“In case of your not succeeding in getting a place for our residence agreed to there, you are to propose to the Queen her husband's taking into his service some of our subjects, who have followed us from Britain, and also to represent the great occasion we have for money at this time for supporting many of all ranks of our subjects, whom we cannot abandon, they having lost all on our account, and entreat her good offices with her husband for his assistance therein.

“In case our residence there be refused and that you are delayed but not refused as to the last two articles, which may make your continuing there longer seem necessary, you are to give an account of the answers you get to our Principal Secretary of State by letter in the cypher and to the address given to you and continue there till further orders. (Entry Book, 5, p. 12).

1716. Mr. Bagenal. Note of his address at Turin.

*The Queen of Sicily was the daughter of the Duchess of Orleans, youngest child of Charles I.

Fanny Oglethorpe to the Duke of Mar. July 8th, Paris. . . . "Madame Verrue, who as you know was a long time with the Queen of Savoy and keeps up a very great correspondence tells us Mr. Bagenal is sent from your Court to the King (of Sicily). I wish him success and hope my brother (Theophilus Oglethorpe) will be discreet enough to come away that the other may meet with no obstacles in his negociations, for I suppose it has been weighed seriously before the resolution was taken of sending one of his profound sense and great capacity to undertake an affair that my brother has been so long taking pains to put in a road, and it's to be believed some considerable fault has been found with my brother that he is no longer judged worthy to be trusted. I hope he'll have sense enough to perceive he grows troublesome or go either to his own country or somewhere where he may wait till the King has use of all his subjects. You must have been mightily pressed to have sent Mr. Bagenal, for it is to be feared that the King of Sicily may apprehend to treat with a man all the world knows is sent from Avignon. I don't doubt he will do wonders, for what my blunt brother would have done by plain reasoning the other will compass immediately by fiddling and dancing and will sing to the King and his Ministers into whatever he has a mind to. I doubt not you had the good nature to give my brother notice of the other, for else it will be a barbarous reward for his good intentions and Lord Bolingbroke could not have used him worse."

The ironic touches in Miss Oglethorpe's letter betray her annoyance at her brother's supersession.

George Bagenal to the Duke of Mar. Turin, 8th July, 1716:—"I am grown weary of this place, where there is no diversion at all and designed to leave it to-day, but Mr. Fielding (Oglethorpe) has engaged me to stay 2 days longer. He told me he would entertain me, but said the rest of the company had obliged him not to tell me how, and gave me some hopes of Burgundy and Champagne (officers being employed there). This was an inducement to me to stay, tho I fear he'll not find any, for I searched the town and could not get a drop nor indeed anywhere at all fit for present drinking. The Minister the Queen of Sicily recommended me to received me mighty coyly, and in short would have nothing to do with me further than a great deal of civility. Letters are nine days going to you, so we may meet before you receive this."

The boredom of George Bagenal at not being able to get "divarsion" in Turin proclaims him the true Irishman.

Monsignor Alamanno Salviati to David Nairne. 1717. March. Avignon. At the end of his letter he says:—"I beg you to tell Mr. Kennedy that his valet de chambre brought me the two books of music I had lent Mr. Bagenal."

The Duke of Mar to Colonel John Hay. 1717. May 2. "Busbie (Bagenal) is to be with me to-morrow and is to carry letters from Martel (Mar) and Dutton to Saunders (Ormonde) the day after."

Same to Same. 1717. May 7. "The third day after I wrote to you last Busbie (Bagenal) came to me, with whom I had a good deal of discourse, more indeed than I ever had before of business. He had drunk a bottle before he came

to me, which with what we drank at dinner made him more open than I believe he otherwise would have been. He pressed mightily Samuel (Ormonde) and Francis (Mar) being well together. I told him that I hoped it was so as it had always been. He insinuated that it had been otherwise of late."

The Duke of Mar to James III. "I wrote to you on the 14th and a thing has happened since which has discomposed us much, but is now remedied as well as it can. The principal reason that made me propose Samuels (Ormonde) coming by Germany was that I thought his coming by France would certainly discover it. . . . Busby's (Bagenal) wisdom at Lyons has occasioned this as it could not be supposed it would do otherwise. As he passed there he was carried to the principal man's house, as is usual, but in place of sending up a name which might have been anyone, up he goes himself and upon the man's knowing him he asked for Sam (Ormonde). Busby thinking that Sam would be served the same way when he came up believed it the best thing he could do to make a confidence of Sams being to arrive next day and told him he was going to Paris, but desired that it might be kept secret. This man, who it seems is a true son of the French, went to meet Sam next day at the post with all his attendants, and made him many fine compliments and assured him that it should not be spoken of. That same night he sent an express to acquaint the Regent of it."

Alas! George was clearly not a very discreet man, whether he was bored or not.

The Duke of Mar to the Duke of Ormond. Dec. 28, 1717. "Gortz's conversation with Bagenal is an odd one and I do not think it shows him the great man some believe him. I shall long to hear of your having heard from Jerningham. I fancy you sent Thomas Sheridan with him, and I wish you may send him to us on his return or sooner. He may be useful to us with the languages he is master of, one who has them being much wanted here to help Mar, and I am told he is one of good sense and to be trusted.

"At another visit A told Ormonde that the King of Spain would give 5,000 men of which 4,000 to be foot, 1,000 troopers of which 300 with horses the rest with their arms and accoutrements and 2 months pay for them; 10 field pieces powder and arms and every thing necessary to convoy them.

"Alberoni desired me to let him know to whom he (Ormonde) could confide to send to the King of Sweden to press him to invade England before the Spring especially since the King of Spain had come to the resolution of sending troops which he had not done when Sir P. Lawless was despatched. Bagenal is the person I left with Alberoni. I expect him here every hour on his way to Sweden and his instructions are to tell the King of Sweden that no money will be given by the King of Spain unless he consents to make an attempt on England at the time proposed. Bagenal will have instructions to propose to the King of Sweden to send 2,000 men to Scotland with 5,000 arms. Alberoni seems very uneasy at your situation in Italy. He fears that your person is not in safety considering the late inhuman proceedings against the Princess Clementina.

"In my humble opinion you ought to come to Spain with all expedition that you may be out of the Emperor's power and your presence is necessary here, either to embark with the troops if you can arrive in time, or to follow as soon as possible, for Alberoni is of opinion that the opportunity should not be lost and you ought to be here to go to England with the troops."

Daniel O'Brien to Captain John O'Brien (of Dillon's). 1717. Nov. 7. "I believe Ormonde will have told you that Gortz passed by here some days ago, which was known only after his departure. Ormonde immediately despatched Bagenal after him with a letter."

The Duke of Ormonde to James III. June 10, 1718, Metz. Condoling with him on the Queen's death. Arrived here last night with Bagenal and Butler. We have had a long and fatiguing journey, but not the least accident. I design leaving this to meet Dillon.*

Lt. General Arthur Dillon, an intimate friend of James III., to whom he with three others he authorised the custody of Queen Mary's private papers and property after her death. (See pp. 484-5, vol. 6, *Stuart Papers*).

It is clear that Ormonde and Bagenal had been waiting the result of the negotiations between Sweden and Russia regarding peace between them, which had to be accomplished before the two countries would help James III. in the attempt to restore the King by arms.

If Charles XII. of Sweden had not been killed by a random musket shot in a siege in Norway in 1718 the Jacobite cause might have succeeded.

From 1715 Cardinal Alberoni, at that time the ablest and most ambitious of European statesmen and the dominant power in Spain, was plotting with the Russian Czar and Charles XII. to upset the central political status in Europe, and to invade Scotland or England with a Swedish army in the Stuart interest. The plot was discovered and foiled in time, but not before the intrigues of Alberoni were in full swing with the Jacobites and other European backers of the Stuarts.

The scene now shifts to Spain, where war had broken out with the Emperor Charles VI. England became involved by the Treaty of Utrecht and soon drifted into hostilities, when Admiral Byng sailed from Spithead with precise orders how and when to intervene.

It was at this critical moment that the Duke of Ormonde accompanied by George Bagenal was summoned to Madrid to consult with Alberoni as to an attack on England.

The Cardinal agreed to furnish 5,000 men, two months pay, 10 field guns, 1,000 barrels of powder and 15,000 muskets. The expedition was to be fitted out at Cadiz.

Things seemed to be going well. Ormonde went to Valladolid with his aide-de-camp pulling the wires in England. Then came the dreadful news of the death

*Lt. General Arthur Dillon, an intimate friend of James III., to whom he with three others authorised the custody of Queen Mary's private papers and property after her death. (See pp. 484-5, vol. 6, *Stuart Papers*.)

of Charles XII. in the trenches before Fredericsshall in Norway, which followed the declaration of war against Spain by both England and France.

From this onward bad luck attended the new Jacobite conspiracy. Lord Stair kept London well advised of the dangers impending. His Embassy in Paris was thoroughly informed of the forthcoming expedition under the Earl Marischal Keith, for there were spies at work amongst jealous Jacobite factions, and finally bad weather caused the dispersion of the Cadiz fleet.

The result was never in doubt. The invasion of the West Coast near the Island of Lewis, intended as a diversion to raise the clans, was an absolute fiasco. Ormonde was left behind waiting for the Cadiz fleet. The gathering of the clans failed and the only engagement at Glensheil ended in an easy victory for Major-General Wightman. The casualties on both sides were about 100 killed and wounded. The only battalion of Spaniards to accompany this expedition surrendered and was sent back to Spain.

On this luckless enterprise the curtain falls. The Jacobite affairs were in a worse condition than ever. The death of Mary of Modena deprived them of her French pension, which was the main support of the Stuarts. No European Power would support their cause. Ormonde retired to Spain for some years with his faithful aide-de-camp, George Bagenal, where the latter married and died. Ormonde died in 1745 at Avignon, having lived 30 years in exile.

George's name is also mentioned in a letter from Daniel O'Brien to John O'Brien, Captain in Dillon's regiment, dated Nov. 7, 1717. He says:—"I believe Ormonde will have told you that Gortz (the Swedish minister) passed by here some days ago which was known only after his departure. Ormonde immediately despatched Bagenal after him with a letter. Though I know all that passed at this conference I find it good to pass very lightly over the matter and for good reason."

Duke of Mar to Lt. General Dillon. Dec. 4, 1717. "With some difficulty we have got Bagenal's letter deciphered which though confused enough gives an odd view of Gortz and makes me still expect the less from him."

It seems clear from all these letters that George Bagenal was looked upon as a very useful confidential agent by the leaders of the Jacobite party abroad, and that too despite his frequent potations and occasional indiscretions. He reminds one of Pope's lines:—

In all thy humours, whether grave or mellow,
Thou'rt such a touchy, testy, pleasant fellow,
Hast so much wit and spleen and sense about thee,
There is no living with thee or without thee."

His last letter on record was addressed to Cardinal Gualterio, with whom he had evidently been in correspondence, as also with Cardinal Alberoni, for some time as a devoted son of the Church and follower of the Stuart dynasty.

George Bagenal to Cardinal Gualteris. "The letter with which it has pleased your Eminence to honour me has rejoiced and flattered me as much as anything

in my life. It has brought back to me vividly the remembrance of kindnesses and favours with which your Eminence overwhelmed me at Rome and of which this letter is a continuation. It is the greatest honour.

“The thought that your Eminence looks upon me as a man who deserves in some degree his esteem, by reason of my veneration and respectful devotion, flatters me more than I can express. I dare not hope that I may find some occasion to show your Eminence the sincerity with which I am devoted to a man of the world who merits the best (all over the world—everywhere). I have not failed to obey your Eminence’s orders to present his compliments to the Duke of Ormonde. He bade me humbly thank your Eminence for the honour which your Eminence did him, and to present his respects to your Eminence in terms which can best mark his veneration.

I am delighted at the good opinion that your Eminence seems to have formed of Mr. Sheridan. He is a man of honour and merit who will show himself not unworthy of your Eminence’s protection.

“I will conclude by humbly begging that your Eminence will be persuaded that I shall preserve all my life the honour of being with inviolable attachment and a very profound respect.

“Monsignor,

“Your very humble and obedient servant,

“ (Signed). George Bagenal.”

“Madrid, 3 March, 1721.”

The 2nd Duke of Ormonde’s Letters, published in Edinburgh by Mr. Wm. R. Dickson in 1895, relating to Cardinal Alberone’s project for invading Great Britain, contain constant references to George Bagenal, frequently mentioning him to others as his kinsman. In those days blood was thicker than water and gratitude was not an unknown quantity where ties of relationship prevailed.

CHAPTER XX.

WALTER BAGENAL II.

Walter, eldest son of Colonel Dudley Bagenal, was born in 1671 and died in 1745. When his father fled to France he was a youth of 19. We know nothing about his education, nor where he lived after the *debacle* of the Boyne. It is most probable that he sheltered with his mother in England till the storm passed over and he was enabled through his friends and relatives to plead his cause as the innocent victim of his father's loyalty. The somewhat uncommon fact that the Barony of Idrone was held direct from the Crown made the advocacy of his case more easy than that of others, and the Ormonde interest no doubt was utilized to the utmost.

At the time of Dudley Bagenal's marriage in 1668, a settlement of the estates was made, by which they were entailed on the eldest son of the marriage, subject to a jointure, and to £5,000 for the younger children. So that Dudley could only forfeit his life estate; and as Walter, his eldest son, was fortunately too young to take up arms with his father, his prospects were not sacrificed.

Nevertheless, the whole family would have been utterly destitute during their father's lifetime, only for the pity King William III. felt for the misfortunes that seemed continually to befall this Idrone branch of the Bagenals. He accordingly made an allowance out of the family estate, which had come into his hands under the forfeiture, of £400 a year to Dudley Bagenal's wife, during the life of her husband, in order to support their numerous family—being equivalent to the amount of jointure she would have received under the settlement, at her husband's death. They ran a very great risk, however, of losing even this small provision for their necessities.

The prodigal donations of forfeited estates made by King William III. to his favourites and to foreigners created much discontent in England—where the recollection of the Commonwealth mode of dealing with Irish lands, of parcelling them out, after the old Roman way, among the victorious legions for their reward, was not forgotten. The Parliament accordingly, in the year 1700, passed an Act of Resumption, which avoided all royal grants of land made after the 13th of February, 1688-9; and, by an Act passed in 1703, directed that they should be sold by public cant to the highest bidder, discharged of all estates or claims, except such as should be proved and allowed by the Commissioners at their court appointed to sit at Chichester House, in College Green. The proceeds were to be applied to discharge the arrears of pay due by debentures to the officers for service under King William in the wars with France and Ireland.

In the Act of 1703, however, there was a saving, or proviso, that it should not be construed to make void the grant made by the King for the subsistence of the wife and children of Dudley Bagenal, and she was accordingly allowed this charge of £400 a year; and the eldest son, Walter, was enabled to prove his title to the family estates in remainder after his father's death, and the younger children their charges of £5,000.

The attainder of Colonel Dudley Bagenal naturally produced much confusion and complication in the private affairs of the family. There is in existence in the British Museum a printed document entitled "General State or view of Mr. Bagenal's affairs" which deals with various legal questions. From this it appears that there were serious disagreements in the family concerning fresh settlements made by Colonel Bagenal just before the battle of the Boyne. In these Mrs. Bagenal evidently took legal advice and acted apparently in opposition to her eldest son, after his father's death, especially concerning her jointure, which it was contended was excessive. There followed a lawsuit and matters culminated when the case was re-heard in the Court of Chancery in Dublin in 1723. Mrs. Bagenal was then 83 and her friend and receiver of the rents was Mr. Alderman Burton. At the hearing it came out that the rental of the Carlow property was £3,300 per annum, that Dudley and Nicholas had been maintained by their elder brother, and that there was a charge of £7,000 on the estate representing Lady Clifton's marriage portion. When Messrs. Purcell and Beauchamp were appointed trustees of the estate it appeared that Walter Bagenal owed £17,722. It was probably owing to these debts that Walter sold his life interest in his first wife's Drimna and Bremore property for £7,000. This property was then estimated to bring in £1,079 a year, but there were charges on it of £6,433, all at 8 or 10 per cent. interest. A Court valuer, Mr. R. Warburton, valued the Barnewall estate at the time at £40,000.

Walter having been bred up a Catholic naturally married a wife of his own persuasion. It will be remembered that Sir Nicholas Bagenal married his daughter Mary to Sir Patrick Barnewall, Knight of Turvey, Co. Dublin. Six generations later Walter Bagenal, in 1706, married another member of the same family—Eleanor, daughter of James Barnewall, of Bremore Castle, Co. Dublin. James Barnewall dying left his daughter an heiress and thus Walter Bagenal found himself independent at once of his own property in Carlow. He brought his bride home to Dunleckney and she bore him two daughters. The eldest Mabel married Mr. Nicholas Stapleton of Carlton, Yorkshire (now represented by Henry Stapleton, Baron Beaumont, of Carlton Towers, Selby, Yorkshire). Mary, the younger, married Mr. Jarrard Strickland, younger son of Mr. Walter Strickland, of Sizergh Castle, Westmoreland.*

*MONUMENT in ST. MARTIN-CUM-GREGORY CHURCH,
MICKLEGATE, YORK,

to Mr. JARRARD STRICKLAND

and

MARY his wife, & CECILIA, & MARY, his daughters.

Let us here try to realise the legal position of an Irish Roman Catholic gentleman like Walter Bagenal in the days of Queen Anne when the penal laws were in full force in all their naked enormity and injustice. Under no condition was he able to purchase land. He could not take leases for more than 31 years. Lands in possession of Catholics whose children were Catholic were to descend in gavelkind, i.e., in equal portions to each child. The eldest son, however, might inherit under the common law and retain his privilege as sole heir to the real estate if he declared himself a Protestant within a year of his father's death. Where the eldest son of a Catholic father was a Protestant, the father became tenant for life only, and was disabled from selling his estate if he desired it. No Catholic might be guardian or trustee to orphan children. If the parents were living and one of them was a Protestant, the Court of Chancery was directed to see that they were brought up in the Communion of the Established Church. The taking of the Sacrament according to the rites of the Established Church was made a condition of holding any office, civil or military, under the Crown, above the rank of a constable. Only the existing secular Roman Catholic Clergy were allowed to remain and officiate and their names were registered. The Abjuration Oath was everywhere imposed. According to law a Catholic was not allowed to carry a sword or own a horse over the value of £5.

Such were the social and religious conditions under which Walter Bagenal lived in the beginning of the 18th century.

Probably in the County Carlow they were not as bad as they might have been if the law had been always strictly enforced. As the representative of one of the oldest families in the county, a resident who attended the Grand Jury twice a

Here repose the remains of Jarrard Strickland Esq, 2nd son of
Walter Strickland in the Co. of Westmoreland, Esq.
Passenger didst thou know him, he was of that Urbanity
And polished manners which to virtue gave charm and his
Religion pure, sincere, benevolent served still more to
Dignify the man.

In him the gay lost the innocent companion of their mirth,
The sedate and thoughtfull an instructive friend, And they
Who erect this testimony of affection the kindest parent.

He died on the 1st September 1791 in his 88th year.

M A R Y second daughter of Walter Bagenall of Bagenall (sic) in the
County of Carlow Ireland and Barnewall, heiress to the
Castle of Brumore and Drimney: etc. in the County of Dublin
Wife to Jarrard second son of Walter Strickland of Sizergh
In the Co. of Westmoreland, born at London Sept. 8. 1709
Died at York April 9 old stile 1744.

Tradition will sufficiently take care that latest posterity may
Know how eminently she possessed with every virtue, every
Ornament that could attend them; wherefore tis only thy function
Marble to point out where those precious ashes be, And by thy frequent
Admonitions make this rare character, like her life, continue to be of
Perpetual advantage to others who by imitating her virtues may merit her reward.
Here also lies the body of C E C I L I A STRICKLAND daughter of the said
Jarrard Strickland and Mary his wife.

She possessed every virtue to entitle her to reward of age.

Also of M A R Y Strickland sister of Cecilia, died 1821, aged 84,

year and was on cordial relations with his neighbours, we may be sure that Walter enjoyed all the amenities of Irish life, and worshipped God in his own chapel at Dunleckney without let or hindrance.

It was in the year 1713 that a very important election took place in the County Carlow in which Walter Bagenal played a somewhat prominent part, considering his disabilities as a Roman Catholic. His action shows that he was a keen and courageous politician under very difficult circumstances. Everybody in the county was aware of his father's Jacobite record and of the activities of his brother George as agent for the Pretender "over the water."

To explain the incidents of this election it is necessary to give a brief idea of the political situation in 1713. The Duke of Ormonde had succeeded the Earl of Wharton as Viceroy. It was the moment of the great crisis of Queen Anne's reign and the change of Ministry. Godolphin and Sunderland were driven from office and Lord Bolinghoke, a Jacobite at heart and in intention, became Prime Minister. Ormonde, grandson of the great Duke, went to Ireland in 1711 in hopes of manipulating the country in the interests of the Pretender, but he was disappointed. He found a bitter faction fight proceeding between the Irish House of Lords, headed by the Bishops, who were inclined to be Jacobites, and the House of Commons, who were passionately Hanoverian. Finding it impossible to proceed with such a Parliament in a policy which was to qualify Ireland to receive the Pretender, Ormonde got rid of it. The Parliament was prorogued and never met again. The Government was left to the Chancellor, Sir Constantine Phipps, a friend of Swift and an English Tory.

Meanwhile the Chancellor was preparing for the electoral fray and expected a Tory-Jacobite majority at the forthcoming general election in Ireland. In County Carlow there was a violent contest with a victory for the Tories. In this Walter Bagenal took a prominent part which was made the subject of a petition. All through Ireland similar scenes were enacted and many members were unseated. The Duke of Shrewsbury, who had succeeded the Duke of Ormonde as Viceroy, found the House of Commons still Hanoverian so far as the Protestant succession was concerned. They also demanded the dismissal of the Jacobite Chancellor, Sir Constantine Phipps. The Lords and Commons came to blows again, and so despairing of success the Viceroy prorogued Parliament.

Next year Queen Anne died, just as the destinies of England were actually in the balance, and the sanguine hopes of the Jacobites at home and abroad melted into air. On the death of the Sovereign a general election took place. In the contest in Co. Carlow the candidates for the two seats were the Rt. Hon. Sir Pierce Butler, Bart., Jeffrey Paul, Esq., and Thomas Burdett, Esq., of Garryhill, Co. Carlow. The first two were possibly Jacobites, and Burdett certainly a Hanoverian. Burdett was defeated and presented a petition. He alleged "that he was duly elected by a considerable majority of the real and known freeholders of the County, although some gentlemen and particularly the Popish gentlemen of the County, Mr. Walter Bagenal, Mr. Wm. Cooke, Mr. John Baggott, and several other

Papists, without any regard to the laws for preventing Papists breeding any dissensions amongst Protestants at elections, have interfered in a zealous and industrious manner contrary to the laws of the land and rights of elections, and after the writs issued by making several occasional freeholders, some of which were their menial servants in livery; by menacing many others even to the destruction of their families, if they did not vote as they would have them, and by appearing in the field well mounted, well armed, and in *red coats*, with several of their emissaries throughout the field managing and seducing freeholders, and by doing other illegal and unwarrantable acts to influence the election against the petitioner in favour of Jeffrey Paul one of the candidates."

From his action in this election it may be fairly concluded that Walter Bagenal was a Jacobite at heart still and that he used all his influence to return his neighbours at the head of the poll. The death of Queen Anne, however, put a very different complexion upon Irish politics, and perhaps at this moment he wished he had married a Protestant wife who would bring up a son in a faith which made no special laws against the acquisition by or descent of property from its members. There is one passage in Burdett's petition that is worth notice and comment. It alludes to "the Popish gentlemen of the County appearing in the field well mounted, well armed, and in red coats." The allusion to being well mounted and well armed of course points to the penal laws which prevented a Roman Catholic owning a horse of greater value than £5 and from carrying arms. But the allusion to the wearing of "red coats" is rather obscure. Is it that we may here find the introduction of red hunting coats in the field, which were utilized for another purpose on this occasion for hunting freeholders to the poll? Or is it possible that the red coats were some remnants of the old uniforms which clothed the regiment that Colonel Dudley Bagenal levied in Carlow and commanded at the Boyne Water with such ill-success?

George I. came to the throne in 1715 and at the general election consequent thereon Mr. Francis Harrison, a partner in Mr. Benjamin Burton's Bank in Dublin and Mr. Thomas Burdett were elected Knights of the shire. Mr. Harrison died in 1725 and the vacancy was contested by Mr. Jeffrey Paul and Walter Bagenal. The election is said to have been remembered as the most strongly contested on record. Mr. Paul was elected and his opponent petitioned against the return on the grounds of "partiality and misfeasance of the Sheriff, Richard Wolseley, Esq.," but the Committee resolved "that Mr. Paul was duly elected and that the High Sheriff of the County of Catherlagh did discharge his duty with great integrity at the said election." A similar discomfiture had befallen Mr. Bagenal a couple of years previously in England, as we find that on January 23, 1723, a petition of Walter Bagenal, Esq., was presented to the House of Commons against the borough return of John Lake, Esq., for the Southwark.

Two miles from Dunleckney lived Mr. John Beauchamp, of Ballyloughan Castle, a Protestant gentleman who had obtained grants of land in Carlow at the Restoration. His wife was a daughter of the Rt. Revd. B. Vigors, Bishop of Ferns

and Leighlin. He represented Old Leighlin in the Irish Parliament from 1713 till his death in 1745, and was no doubt a leading politician in the county.

Walter Bagenal with his experience of the penal laws and an eye to the future of his estate decided to marry a Protestant and become one himself, and accordingly we find him in 1725 wedded to a second Eleanor, daughter of the aforesaid Mr. John Beauchamp, and grand-daughter of the Bishop of the Diocese. There was very little fear as to how the future heir to the Dunleckney estates would be brought up. Walter Bagenal died in 1745 at the age of 75, leaving one son, Beauchamp, of whom more remains to be told, and two daughters, Eleanor and Catherine. Eleanor married, in 1762, Mr. James Carroll of Ballinure, Co. Wicklow, and Catherine married Mr. Maurice Keatinge of Narraghmore, Co. Kildare.

There was published in Dublin in 1746 an interesting account of a tour in Ireland undertaken during Walter Bagenal's life, which gives some details of his social activities.* The author's name is not given, but he was taken about the County Carlow by a Mr. H . . . n (possibly Harman), and seems to have been received very hospitably. He writes:—

“ We are now at Mount Harman, a pleasant seat within two miles of Catherlough or Carlow, and have been to view a place called Staplestown belonging to — Bagenal, Esq., who is improving a sweet situation where nature has worked already to assist it. The house is built on an eminence, which with a gentle declining leads you down to a pretty river called the Burren which is crossed by a bridge of seven arches. They have a garden—when the last hand has finished all that is intended—might serve an Italian Prince who need not be ashamed of his residence. Though the place is called Staplestown, there are but very few houses on it. The Proprietor intends to multiply the dwellings that it may with a better face, bear the name of a town. We crossed the fore-mentioned bridge with a hill on our left, where we stood to please our eyes with the gentle winding stream of the Burren, which washes the base of a beautiful hill, and passes on our right a seat called Benny-Kerry, built by Vigors, Bishop of Leighlin and Ferns: but the death of that Prelate was the prelude to its ruin, as our generous nomenclator Mr. Harman (Note: Since this was wrote, the gentleman is deceased) informs us. He it is who teaches us our knowledge.

“ The next place worth observation was Bagenal's-town, laid out by Walter Bagenal, Esq., a gentleman of an ancient family in England who once intended to erect one of the finest towns in this kingdom or in any of its neighbours by the name of Versailles. A magnificent square Court House and several other public buildings are raised with stone of different kinds intermixed with marble. Over the river Barrow is a beautiful bridge not long finished. This gentleman's design was to bring the great road through this town instead of Leighlinbridge, but he failed in this attempt, which has put a stop to the further progress of the buildings after an immense expense. We dined at this gentleman's house called Dun-

**A Tour Through Ireland* in several entertaining letters, humbly inscribed to the Physico-Historical Society, Dublin, printed for Peter Wilson at Nag's Head, opposite the Spring Garden in Dame St.: 1746.



DUNLECKNEY—REBUILT IN 1845.

leckney, a noble building with fine gardens and a large park stocked with deer.

"He has several beautiful children, brought up under the eye of his lady, a young person with all the sagacity of age.

"This gentleman has built a little Protestant town called Kill-Edmund, with a neat new church. Through the place runs a small rapid river of about 6 miles course from Mount Leinster into the Barrow, which is accounted one of the best trout streams in the County.

"From Ferns we took a backward course and came among other haunts of the Kavanagh family with an addition of the race of the Byrnes, another ancient stock. We went to take the waters of Spa-hill and a Doctor of Physic assured us it had all the virtues of those in Germany, but not in taste.

"We lay last night at a place called Borris. Here is a noble seat belonging to the Kavanaghs. The heir is now a Minor. The house and town with a great estate belong to this young gentleman—Thomas Kavanagh, Esq. There is a law in this kingdom that the Minor of a Roman Catholic left so by the death of his father is accounted the heir of the Crown, and the Lord Chancellor for the time being is appointed his guardian in order to bring him up a Protestant, and this young gentleman is now in Westminster school for that purpose.

"The seat of Borris is designed for a noble building, but at present there is a stop put to its progress by the death of the father who is an irreparable loss to the neighbourhood, one hundred poor families being employed in the building here.

"There is a fine park surrounded by a stone wall 10 feet high, one part fronting the river Barrow. Next day we dined with Simon (?) Kavanagh, Esq., at a pleasant seat called Rock-Savage. This is the 3rd branch of that ancient family allied to them in good nature and humanity.

"We are hastening to Moyle as fast as possible, for my poor brother is afflicted with cordysus (?) from what cause we cannot find out, unless it be from breathing so many different changes of air in so little time.

"Catherlough or Carlow is famous for making spurs, which are known even in London and recommended by the name of 'Carlow Spurs.'*

"We passed by an inn called the Royal Oak, which is thatched, and what they call in this kingdom a cabin: but for entertainment and convenience it may vie with the best inn in the Island. I speak this by experience. When we left Kilkenny, we dined here on our road to Carlow."

There are some points in this narrative worth noting. The house at Staplestown mentioned in the first few lines has disappeared, except a few ruined walls, but there is an old gateway with large piers behind the site of the house now inhabited by Mrs. Ireland, which indicates where the entrance most probably was. The old yew trees close by are some of the largest in Ireland and must be of great age.

*Ripon had the same immemorial reputation for spurs in England.

There is another reference to Staplestown in "Thomas Dineley's Journal," written in 1680, which gives some older information, accompanied by a sketch of the hamlet. He says: "A mile and a half distant from Carlow is Staples-town, heretofore belonging to Sir Jno. Temple, Master of the Rolls in Ireland, purchased by John Tench, Esq., once of Lincolns Inn, in the Co. of Middlesex, now one of his Majesty's Justices of the Peace for the Co. Carlow, and sett by him to Capt. Ed. Brabazon, one of his Majesty's most Hon. Privy Council in the Kingdom of Ireland, brother to the Earl of Meath. Mr. Tench was M.P. with Sir T. Butler for Co. Carlow in the Parliament which met at Dublin 1692."†

Sir John Temple was author of "The Irish Rebellion or an History of the attempts of the Irish Popists to extirpate the Protestants," published in 1646. He denied the authorship in 1675. Sir William Temple who married Dorothy Osborne also lived at Staplestown with his father.*

It is a matter of history how closely connected was the famous Jonathan Swift, Dean of St. Patricks, with Sir W. Temple, and from him he no doubt heard a good deal about Carlow and Staplestown. His famous couplet about the town of Carlow still survives to illustrate his local knowledge and ironic wit:—

"Low Church, High Steeple,
Poor Town, Proud People."

It is stated by the writer that Benekerry was built by Bishop Vigors, but this is very doubtful. The Bishop of this, the poorest diocese in Ireland, generally lived in Dublin. If the Bishop had built the house it is almost certain that there would have been an entry to that effect in the books of the Registrar of the Diocese.

It seems clear that the writer must have visited Co. Carlow not long after Walter Bagenal had married the second wife (which happened not later than 1725) for he mentions "several beautiful children."

Another interesting allusion bears on Walter Bagenal's probable conformity to the Protestant faith. The narrative says that he "had built a little Protestant town called Kill-Edmund with a neat new church." It is hardly likely he would have built a Church without determining to worship in it.

Walter Bagenal is credited by Mr. Ryan, the historian of the Co. Carlow, and by tradition with having built the bridge across the Barrow at the Royal Oak, and it certainly fulfilled his intention of diverting the main traffic from Leighlin Bridge to Moneybeg, subsequently known as Bagenalstown.

An amusing story is told by Thackeray about the Royal Oak which he passed in his tour in Ireland in 1842: "In the time of the rebellion, the landlord of this Royal Oak, a great character in those parts, was a fierce United Irishman. One day it happened that Sir John Anderson came to the inn, and was eager for horses on. The landlord, who knew Sir John to be a Tory, vowed and swore he

†Extracts from the Journal of Thomas Dineley, Esq., Shirley Papers, Kilkenney Journal, Vol. 4 new series. Continued from Vol. 2.

**Memoir of Sir W. Temple*, by T. P. Courtney.

had no horses : that the judges had the last going to Kilkenny : that the Yeomanry had carried off the best of them : that he could not give a horse for love or money. ' Poor Lord Edward,' said Sir John, sinking down in a chair, and clasping his hands, ' my poor dear misguided friend, and must you die for the loss of a few hours and the want of a pair of horses.' ' Lord *What?* ' says the landlord. ' Lord Edward Fitzgerald,' says Sir John. ' The Government has seized his papers, and got scent of his hiding-place. If I can't get to him before two hours Sirr* will have him.' ' My dear, Sir John,' cried the landlord, ' it's not two horses but it's eight I'll give you, and may the Judges go hang for me. Here, Larry. Tim. First and second pair for Sir John Anderson : and long life to you, Sir John, and the Lord reward you for your good deed this day.' Sir John, my informant told me, had invented this predicament of Lord Edward's in order to get the horses."

Judging by contemporary evidence it is clear that Walter Bagenal was a man of modern ideas. It may be assumed as certain from his father's history that he had travelled on the Continent and was well acquainted with France. Hence the somewhat ridiculous allusion to Versailles in the sketch, and his outlay of money in erecting the first public buildings at Moneybeg, and laying the foundations of what has since become a small country town, on the banks of the Barrow and a railway junction leading to the Co. Wexford through some of the most beautiful mountain and river scenery in Ireland too little known to tourists.

*Major Charles Sirr, well known as The Town Major of Dublin in 1798, who succeeded in arresting Lord Edward Fitzgerald after a long pursuit.

CHAPTER XXI.

BEAUCHAMP BAGENAL.

When Beauchamp Bagenal came into possession of his property in Carlow he was a lad of eleven years of age. He was an only son and had been brought up with great expectations and under the influence of a father who had evidently large ideas of the importance of his position and the prospects of his estate. Notwithstanding political turmoil and the opposing interests of Catholics and Protestants, Ireland had benefited enormously by the final settlement of the country and by the extinction of Stuart hopes. There had been peace for nearly 50 years. Landed proprietors had begun to build new houses and settle themselves on their estates. Absenteeism was no doubt a great evil but the older families were not such offenders as those who had acquired new estates under William III. The value of property steadily increased. Under the influence of the Royal Dublin Society, founded in 1731, much was done to improve husbandry, agriculture, gardening, and manufactures, and many resident gentry were distinguished for their work in this direction.

All that is known of Beauchamp Bagenal's early education is that he was entered at Trinity College, Cambridge. For the rest he probably received a home training, as few Irish parents in those days sent their sons to English public schools. But the loss of his father and the tone of the age was not calculated to produce anything but a somewhat reckless type of character in the rising generation, and the only records that remain demonstrate that the young squire followed the ordinary habits and the fashionable customs of the day in which he lived. Of his personal appearance a description has been given by a writer in the *Milesian Magazine*, June, 1812, not long after his death:—

“Beauchamp Bagenal of the Co. Carlow was a man whose intellect was clear, whose education was perfected by the best masters and company, and whose fortune allowed him the full range of fancy that an Irishman will take at the expense of cash as well as of prudence. Bagenal was the true born Irish gentleman. He was particularly gifted as to countenance and figure and was esteemed as men of fortune often are, but in his case with much truth the handsomest man in Ireland. He fought all before him and spent all he could muster and he never wanted a ready word, or like King Charles II. “never said a silly thing and never did a wise one.”

Mr. Lecky, the historian, gives a faithful picture of the drinking and duelling habit in Ireland in the eighteenth century. He writes:

"Duelling in the eighteenth century was very frequent in England, but the fire-eater and the bravo never attained the position in English life which was conceded him in Ireland. The most eminent statesmen, the most successful lawyers, even the fellows of the university, whose business was the training of the young, were sometimes experienced duellists. An insolent, reckless, and unprincipled type of character was naturally formed. Drunkenness and extravagance went hand in hand among the gentry, and especially among the lesser gentry, and the immense consumption of French wine was deplored as a national calamity. Berkeley noticed that while in England many gentlemen with £1,000 a year never drank wine in their houses; in Ireland this could hardly be said of any who had £100 a year. 'Nine gentlemen in ten in Ireland,' wrote Chesterfield, 'are impoverished by the great quantity of claret which, from mistaken notions of hospitality and dignity, they think it necessary should be drunk in their houses,' and he declared that except in providing that their claret should be two or three years old, the Irish gentry thought less of two or three years hence than any people under the sun. 'Would not a Frenchman give a shrug,' said an anonymous writer in the middle of the century, 'at finding in every little inn Bordeaux claret, and Nantz brandy, though in all likelihood not a morsel of Irish bread?' In Ireland, as in Scotland, there were many stories of decanters which, having no flat bottom, would never stand still; of wine glasses with their stems broken off, in order that they should be emptied as soon as they had been filled; of carousals that were prolonged day and night, till the most hardened drinkers were under the table. Horse-races were so extravagantly numerous that the Parliament in 1739, pronouncing them a great source of the idleness of the farmers, artificers, and day labourers of the kingdom, endeavoured to diminish their number by enacting that no horses should run for prizes, wagers, or plates of less value than £20, under pain of confiscation of the horse together with a fine of £20 imposed on the owner and also of a fine of 5s. on every spectator. There ran through the country a passion for gambling, sporting, drinking, cockfighting, acting, and dancing; a strong preference of brilliancy, generosity, and reckless daring to public spirit, high principle, sobriety, order, and economy; a rude but cordial hospitality, a general love of ostentation and extravagance."*

All the accounts and traditions that have come down to us bear witness to the fact that Beauchamp Bagenal typified most of the virtues and vices of the 18th century Irish gentleman. He was handsome, polished, high-spirited, and generous. In an age of public bribery and corruption no one ever accused him of political misfeasance. But on the other hand he drank hard, had no respect for two at least of the shortest commandments, and was ready at any moment to seduce a woman or to take the life of a boon companion or a political opponent on a so-called point of honour. He gambled away a large portion of his patrimony, and lavished money on his own extravagant and dissipated tastes.

There is to be found a very sad and curious description of the man from the

*Lecky's *History of England in XVIII. Century*, Vol. II., p. 292.

pen of a Quaker lady, a Miss Mary Leadbetter (the friend of Edmund Burke and the daughter of his old Quaker Schoolmaster Shackleton of Ballitore, Co. Kildare), who chanced to meet him one evening at a house in Gowran, not many miles from Dunleckney. She says :

“ My father and mother, with others of their family, were by special invitation at the house of their landlord, Clayton Bayley, at Gowran, when Beauchamp Bagenal and a young man of the Butler family, who had dined at Lord Clifden's, came in a state of intoxication to the house. Clayton Bayley was very unwilling to be intruded upon while enjoying the company of his former preceptor; and his wife was greatly distressed, for she was certain that ‘ that wicked Bagenal would insist that her husband must drink with him all night, or else fight him.’ It was in vain our host insisted that he was ‘ not at home,’ which he firmly maintained malgré the lectures of his old mistress; he was at length obliged to appear and as an apology for not receiving them to inform Bagenal that he had Quaker guests in his house. This Bagenal declared was an additional inducement to him to desire admission, for of all things he loved Quakers. He entered on crutches, having been lately hurt in a duel; and though disfigured by lameness and obscured by intoxication, the grace of his form and the beauty of his countenance were so conspicuous as to excite in no small degree the mingled sensations of admiration, pity, and regret. He had entered into the world with splendid gifts of nature, and possessed a mind, not unworthy of them, while, drawn into the vortex of dissipation, his mind debased, his constitution shattered, his fortune impaired, he became the wreck which now appeared before us. It was to my mother that Bagenal addressed his conversation. He repeated his declaration of affection to the Society of Friends, and assured her that he agreed with them in sentiments; and wished to belong to their body, ‘ only that he could not in that case retain his corps of Volunteers.’ My mother made little reply, but he rising soon after to leave the room, expressed much unwillingness to lose her company, and at length left the house, much to the relief of all who remained in it except my mother. Her mind was so impressed with sadness in contemplating the situation of this man that she believed it her duty to inform him of it. In the course of a few months she heard he had come to visit his sister, Mrs. Maurice Keatinge; she went to Narraghmore and had a conference with him, honestly laying before him the injury he did himself and others by his conduct and example. He heard her not only with polite but with serious attention, acknowledged the truth of her remarks, and lamented his inability to keep those good resolutions which he had often made. He assured her that he approved and esteemed the principles of her Society and that the sentiments he expressed in his state of intoxication were sincere. He thanked her cordially, and at parting kissed her hand.”*

The points to be noticed in this account are Mrs. Leadbetter's conviction that the man in spite of his condition was possessed of a mind not unworthy of his gifts of nature, and that he disclosed the consciousness of his own moral weaknesses. Bagenal's declaration that he loved the Quakers and approved and

**Annals of Ballitore*, by Mary Leadbetter.

esteemed their principles certainly seems the greatest contradiction for an habitual duellist, but theory and practice are continually in opposition. It is quite possible that, as his sister, Mrs. Maurice Keatinge, lived close to the Shackletons at Ballitore, Bagenal had had many opportunities of mixing with Quakers and appreciating their principles and conduct.

It was probably in the first flush of his early manhood that Beauchamp made the grand tour of Europe, which was then considered the most fashionable thing possible for a young person of property and distinction to do. Doubtless his uncle George, whose Jacobite adventures have been noticed, had many friends in European capitals, who would be glad to meet his nephew, further his progress and help him to spend his money. The fame of his adventures on the Continent have come down to us in print, however exaggerated they may be considered. The following characteristic portrait of Mr. Bagenal is given by his contemporary, Sir Jonah Barrington: "He was one of those persons who, born to a large inheritance, and having no profession to interrupt their propensities, generally made in those times the grand tour of Europe, as the finishing part of a gentleman's education. Mr. Bagenal followed the general course; and on that tour he made himself very conspicuous. He had visited every capital of Europe, and had exhibited the native original character of the Irish gentleman at every place he visited. In the splendour of his travelling establishment he quite eclipsed the petty potentates with whom Germany was garnished. His person was fine—his manners open and generous—his spirit high—and his liberality profuse. During his tour, he had performed a variety of feats which were emblazoned in Ireland, and endeared him to his countrymen. He had fought a prince—jilted a princess—intoxicated the Doge of Venice—carried off a duchess from Madrid—scaled the walls of a convent in Italy—narrowly escaped the inquisition at Lisbon—concluded his exploits by a duel in Paris; and returned to Ireland with a sovereign contempt for all continental men and manners, and an inveterate antipathy to all despotic kings and arbitrary governments."*

The first accounts of Beauchamp Bagenal's duelling propensities come out in the correspondence of the year 1773. Mr. Edmund Malone writes as follows to his brother, Mr. Richard Malone, in London:—

"We had a very extraordinary duel here last week between Mr. Bagenal and our new Secretary Blacquiere. The only offence that I can find the latter gave was this: Bagenal applied to him in London to get a relation of his leave to return from America. Blacquiere said he would be glad to serve him if it was in the department of the Lieutenant of Ireland, that he would enquire and inform him. He found it was not and to prevent Bagenal having the trouble of calling on him he wrote him a letter to that purpose and not knowing his address left it with Lord Harcourt's porter in Leicester field where he had first met Bagenal. The letter never reached Bagenal and in a few days after he called on the Secretary who was abroad and had left no message for him. They never met after-

*Sir Jonah Barrington's *Personal Sketches*.

wards till last Thursday when Bagenal went to the Castle to challenge him. Never I believe was there a more unreasonable duel. They say there was some jealousy in France that might have rankled in Bagenal's breast, but he did not urge it as any ground of offence. When he was at Paris he desired Blacquiere to introduce him to the French King. Blacquiere asked him if he had ever been introduced to the King in England. He answered with negative. Blacquiere then told him that he could not be introduced, for that this was the fixed etiquette of the French Court. Blacquiere had a very narrow escape; the ball went so close to him that it took away a little of his hair and the fur of his hat. The next day he felt his face a little sore. He behaved with the greatest intrepidity. When the other's pistol missed fire he called to him not to hurry but either to strike his flint or put in a new one and he did not fire his second pistol. I have exhausted all my paper so must put an end to this *warlike* letter with assuring you that I am ever my Dearest Dick,*

"Most truly and affectionately yours,

"Edmund Malone."

Lord Harcourt, the Lord Lieutenant of Ireland, in a letter to Lord Rochford, 8 February, 1773, gives another account of the duel and its causes. After describing the events which led to Bagenal's challenge, he says:—"They accordingly went out next morning to the Phoenix Park where after Mr. Bagenal had discharged 2 pistols at Col. Blacquiere who fired once at him, the affair by the interposition of Colonel Patterson (who was Blacquiere's second) was honourably and amicably adjusted for that time. However as there was a possibility of it being renewed my Lord Mayor and the Sheriffs interposed and both the gentlemen went this morning to the King's Bench and there in the presence of the Lord Chief Justice shook hands and pledged their honour severally that nothing further should pass." (Cal. Home Office Papers. 1773-75. No. 52).

A further letter from Lord Harcourt, 4 March, speaks of "the coolness and gallantry with which Col. Blacquiere conducted himself": and he says "at Mr. Bagenal's request they stood nearer each other than usual. Colonel Blacquiere having fired his pistol Mr. Bagenal missed fire; Mr. Bagenal cocked it again and it missed fire again and again. Then the Colonel recommended him to examine his flint, which he did, knocking it with a key to make it give fire, which upon the next trial it still failed to do. At the Colonel's request Mr. Bagenal then changed his flint and after this was done Mr. Bagenal having pulled his trigger 6 times his pistol at length went off, and after that his second pistol which hit the Colonel's hat very near the temple. Notwithstanding all this provocation the Colonel refused to fire his second pistol at Mr. Bagenal to whom he declared

*That duelling on the point of honour was not merely an upper class practice in Ireland is shown by Mr. J. Bush in his *Curiosa Hibernia*, published in 1769. He says: "I have heard at a coffee house a couple of journeymen or shopmen, talk as coolly and familiarly of the inconvenience of a room in a certain tavern for the exercise of a brace of points or pistols, as of an alley for a match at ninepins."

he bore no sort of enmity. The Colonel tells me that Mr. Bagenal behaved with great politeness and intrepidity and entreated him in his turn to discharge his second pistol at him." (Ibid No. 88).

Mr. Froude in his account of the duel reproduces Lord Harcourt's story, but gives another version of its origin. He says that Bagenal wrote to the Chief Secretary for leave of absence for a relation who was with his regiment in America. Blacquiere replied politely that to give leave to officers on service did not lie with the Viceroy's province. The result was the challenge and they met at the thorn trees in the Phoenix Park, the usual trysting place for such affairs. No one in these days can help feeling that in this duel Blacquiere carried off the true honours of the day.*

There is yet another and later account in print dealing with Beauchamp Bagenal's life and character which is worth reproducing. It is written by Mr. O'Neill Daunt, of Kilcaskan, Co. Cork, in his book entitled "Ireland and Her Agitators." Mr. O'Neill Daunt was a strong advocate and supporter of O'Connell's Repeal Movement, and belonging as he did to the early part of the XIX. Century he may have been in possession of private sources of information which enabled him to give some personal details or traditions of the man whom he described. The following is the passage:—

"There were social vices peculiar to the period which extensively prevailed amongst the upper ranks. Of these practices the principal were duelling and drinking, which were carried to an excess happily now almost incredible. There was something exceedingly bizarre in the notions and habits of a first-rate bacchanalian duellist. Take, for a specimen, Mr. Bagenal of Dunleckney in the County Carlow—*King Bagenal*, as he was called throughout his extensive territories: and within their bounds no monarch was ever more absolute. Of high Norman lineage, of manners elegant, fascinating, polished by extensive intercourse with the great world, of princely income and of boundless hospitality, Mr. Bagenal possessed all the qualities and attributes calculated to procure for him popularity with every class. A terrestrial paradise was Dunleckney for all lovers of good wine, good horses, good dogs, and good society. His stud was magnificent, and he had a large number of capital hunters at the service of visitors who were not provided with steeds of their own. He derived great delight from encouraging the young men who frequented his house to hunt, drink, and solve points of honour at twelve paces. His politics were popular; he was the mover of the grant of £50,000 to Grattan in 1782. He was at that time member for the county Carlow.

"Enthroned at Dunleckney, he gathered around him a host of spirits congenial to his own. He had a tender affection for pistols; a brace of which implements, loaded, were often laid before him on the dinner-table. After dinner the claret was produced in an unbroached cask; Bagenal's practice was to tap the cask with a bullet from one of his pistols, whilst he kept the other pistol *in terrorem*

*Froude's *English in Ireland*. Vol. II.

for any of the *convives* who should fail in doing ample justice to the wine.

Nothing could be more impressive than the bland, fatherly, affectionate air with which the old gentleman used to impart to his junior guests the results of his own experience, and the moral lessons which should regulate their conduct through life.

‘In truth, my young friends, it behoves a youth entering the world to make a character for himself. Respect will only be accorded to character. A young man must show his proofs. I am not a quarrelsome person—I never was—I hate your mere duellist; but experience of the world tells me that there are knotty points of which the only solution is the saw-handle. Rest upon your pistols, my boys. Occasions will arise in which the use of them is absolutely indispensable to character. A man, I repeat, must show his proofs—in this world courage will never be taken upon trust. I protest to heaven, my dear young friends, that I advise you exactly as I should advise my own son.’

“And having thus discharged his conscience, he would look blandly round upon his guests with the most patriarchal air imaginable.

“His practice accorded with his precept. Some pigs, the property of a gentleman who had recently settled near Dunleckney, strayed into an enclosure of King Bagenal’s, and rooted up a flower-knot. The incensed monarch ordered that the porcine trespassers should be shorn of their ears and tails; and he transmitted the severed appendages to the owner of the swine, with an intimation that he, too, deserved to have his ears docked; and that only he had not got a tail, he (King Bagenal) would sever the caudal member from his dorsal extremity. ‘Now,’ quoth Bagenal, ‘if he’s a gentleman he must burn powder after such a message as that.’ Nor was he disappointed. A challenge was given by the owner of the pigs; Bagenal accepted it with alacrity, only stipulating that as he was old and feeble, being then in his sixtieth year, he should fight sitting in his arm-chair; and that, as his infirmities prevented early rising, the meeting should take place in the afternoon. ‘Time was,’ said the old man with a sigh, ‘that I would have risen before daybreak to fight at sunrise—but we cannot do these things at sixty. Well, heaven’s will be done.’”

They fought at twelve paces. Bagenal wounded his antagonist severely; the arm of the chair in which he sat was shattered, but he escaped unhurt; and he ended the day with a glorious carouse, tapping the claret, we may presume, by firing a pistol at the cask.

“The traditions of Dunleckney allege that when Bagenal, in the course of his tour through Europe, visited the petty court at Mecklenburgh-Strelitz, the Grand Duke, charmed with his magnificence and the reputation of his wealth, made him an offer of the hand of the fair Charlotte, who, being politely rejected by King Bagenal, was afterwards accepted by King George III.

“Such was the lord of Dunleckney, and such was many an Irish squire of the day. Recklessness characterized the time. And yet there was a polished courtesy, a high-bred grace in the manners of men who imagined that to shoot,

or to be shot at on "the sod," was an indispensable ingredient in the character of a gentleman. Look at Bagenal, nearly threescore, seated at the head of his table. You observe the refined urbanity of his manner, and the dignified air which is enhanced, not impaired, by the weight of years. You perceive that the patriarchal Mentor, whose milk-white tresses evidence his venerable age, is mildly and courteously pouring forth his lore for the edification of his audience. You draw near to participate in the instructions of the ancient moralist. What a shock—half ludicrous, half horrible—to find that he inculcates the necessity of practice with the hair-triggers as the grand primary virtue which form the gentleman."

CHAPTER XXII.

MR. BAGENAL'S POLITICAL ADVENTURES.

It was impossible, of course, for a man of Beauchamp Bagenal's natural gifts and eccentric character and descent not to be drawn within the magic influence of politics. In the prime of life he was brought into contact with a generation of contemporaries who were destined to revolutionise the history of Ireland. He was a little older than Flood, and considerably older than Grattan and the brilliant band of men who had imbibed from the writings of Molyneux, Swift and Lucas, higher ideas of the destiny of their country. It was moreover, the time when the revolt of the American Colonies, whither so many Irishmen had fled, was stirring men's hearts as they were never stirred before. All Ireland was in sympathy with the colonies, and their success undoubtedly lay at the root and success of the Irish movement for legislative independence and of the physical force demonstration of the Irish Volunteers.

In the year 1761 Beauchamp first began to take an active and personal interest in politics. He contested the County with the Rt. Hon. Benjamin Burton and Mr. Thomas Butler, eldest son of Sir Richard, the fifth baronet. Defeated in this election he came forward again in 1768 and was victorious with Mr. William Burton. He was also elected for the borough of Enniscorthy, but elected to sit for his native county. The return was celebrated with great acclamation. "Letters from Carlow," says *Finn's Leinster Journal* of July 20, 1768, "give an account of grand fireworks, illuminations, and bonfires in the town last Monday night on account of Messrs. Beauchamp Bagenal and William Burton being elected Knights of the Shire for the Co. of Carlow." This was one of the most important and stirring periods in the history of the Irish Parliament. Important legislation had been achieved mainly through the exertions of Henry Grattan and by the influence and physical force demonstrations of the Volunteer Associations throughout the country. In this latter movement Bagenal took a prominent part in his own county, and hot resolutions in favour of Parliamentary Reform were passed by the Carlow branch of the Association.

Many other causes, besides the American revolution, had contributed to the revival of Irish political parties in the seventies of the 18th century. The distressed state of Ireland, the standing army under a permanent mutiny Act, all the restraints on commerce, and, last but not least, the dependent condition of the Irish Legislature, always subservient and corrupt, all roused great excitement.

Dean Swift had created a new public opinion in Ireland, but he had no immediate successor to reap the harvest he had sown. Mr. Henry Flood first took up his mantle when he entered Parliament in 1759, but Henry Grattan, who followed there in 1775, eventually wrested the leadership from him and became the more successful and famous of the two statesmen. This is not the place to enter into the proceedings which led up to the final grant of that legislative Independence for

the Irish Parliament and which crowned Grattan's meteoric career. But in the struggle to attain that end it is necessary to record the particular part played by Beauchamp Bagenal in the final scenes.

It was on the 16th April, 1782, that Mr. Grattan brought forward his declaration of Independence. The great street before the House of Parliament was thronged with a multitude of people which pressed upon a large body of the Volunteers, their flags and weapons glancing in the sunlight. Through their parted ranks Grattan passed into the House of Commons crowded with members, its galleries filled with peers and ladies. It was a great and memorable scene, and Grattan made the greatest speech of his life. Mr. Lecky speaks of it as "a noble triumph," and the orator was worthy of the cause. In a few glowing sentences he painted the dreary struggle that had passed, the magnitude of the victory that had been achieved and the grandeur of the prospects that were unfolding. "I am now," exclaimed Grattan, "to address a free people. Ages have passed away and this is the first movement in which you could be distinguished by that appellation. I have spoken so often on the subject of your liberty that I have nothing to add, and have only to admire by what heaven-directed steps you have proceeded until the whole faculty of the nation is braced up to the act of her own deliverance. I found Ireland on her knees; I watched over her with parental solicitude; I have traced her progress from inquiries to arms and from arms to liberty. Spirit of Swift! Spirit of Molyneux! your genius has prevailed! Ireland is now a nation. In that character I hail her and bowing in her august presence I say *esto perpetua!*"

The House adjourned and reassembled on May 27th, and it was during that sitting that Mr. Bagenal became a prominent figure by moving a grant of £100,000 to Grattan for his services to the nation.

On the 27th May, 1783, Bagenal spoke in the House in the following terms:—

"I will beg leave to congratulate this country. We have at last got the freedom which all the world should have—it is our birth-right; but in our meridian there is no life without it. Our existence now begins, and will depend upon what use we make of the population and wealth that will result from the advantages of a free constitution.

"I will beg leave to congratulate England,—instead of a nominal or a repugnant dependent, she has now a powerful, faithful ally, one that she can never exist without.

"I will beg leave to congratulate his Majesty—he has conciliated three millions of such subjects as must make him happy—men as willing to be loyal as they are determined to be free.

"I will congratulate his ministers also. They may now depend upon such support as they ought always to look for. And to whom does the empire owe all this? To a man principally, who is resolved to take no reward from government. I will not pretend to say he was wrong, though I know that such merit ought always to be distinguished in every manner that is possible. Shall every body

have what they ought to have, except him alone, to whom every individual in this empire is so much indebted, and by whose example every individual in the universe may be so much benefited? He has saved this empire from an iron age and has restored an unequivocal golden one. By our affectionate alliance with England, we shall not only be benefited ourselves, but shall see a beloved sister revive, without any painful repining, or apprehensions for her prosperity.

“ In these happy circumstances in which he has placed us (though I honour every private compliment I may call those that I see paid to our illustrious benefactor) I believe there is no man that would not blush to think a Grattan’s child might point at a statue or monument that has often been dedicated to slander or problematical merit, and say, that was my father’s, your benefactor’s only reward. I have therefore a motion to make you, which might appear like presumption in me, as it is of so much importance to the glory and interests of this kingdom, if I could suppose that any member of the British Empire would give it a negative; the purport of it is, that we should take into consideration what sum we should grant for the purpose of purchasing a seat, and building a suitable mansion for our great benefactor, in testimony of our gratitude for the unequalled services that he has done for this kingdom. Were we to omit this, or should we do it in a manner unsuitable to the situation he has raised us to, we should be very ungrateful indeed, and never might we expect that a blessing could attend it.

“ It must be needless to say anything in favour of such a measure, or I would not dare to be the mover of it. I will only add that as he has left nothing undone that is material to the prosperity of this kingdom, it can no more lay a precedent for hurtful grants of the same nature here, than Blenheim did in Great Britain.

“ Far be it from me to compare even the services of Marlborough to those for which we stand indebted; We have no deductions to make from our gratitude. Without protracting, or any public expense, his efforts have been timed and conducted with so much wisdom, and the appearance of such a being on earth was so essential to the establishment of liberty at this most critical juncture, that without superstition, men may well record him amongst the most propitious interpositions of heaven.

“ He has crowned his work—and under his auspices the throne of freedom is fixed on so certain a basis, and will probably be always so well supported by the due influence the public are likely to acquire under his system, that with the blessing of God there is no danger of parliament itself ever being able to shake it; nor shall parliament I trust, ever again be profanely styled omnipotent. I am conscious I must have anticipated men infinitely better qualified to bring such a measure forward; one excuse I have, for it is not the impatient wish that everybody must have to see such a character exalted—nor any little vanity to distinguish myself—but as I never had any private acquaintance, nor private conversation with our great benefactor, I thought it might come as well from one from whom he could not have any item, as from the most distinguished personage that he is intimate with.

"Virtue, to be sure, is its own reward, and we know that our generous benefactor is in his own sphere of happiness, content. But shall we be content without doing our duty? Shall we be ungrateful? God forbid.

"Gratitude seems to be a virtue peculiarly adapted to nations that have received such benefits as ours. It is often neglected by individuals because it is often out of their power to be as grateful as they wish; we, I trust, shall never have such another opportunity of exercising ours. God forbid we should let it slip.

"To-morrow, after the grant to his Majesty is settled, and after a proper thanksgiving is offered to heaven, for the happy recovery of our rights, I will move: 'That this House do resolve itself into a committee, to take into consideration what sum we should grant for the purchasing an estate, and building a suitable mansion for our illustrious benefactor, Henry Grattan, Esq., and his heirs for ever in testimony of our gratitude for the unequalled service that he has done for the kingdom of Ireland.' "

In Lord Charlesmont's Memoirs there is an allusion to Beauchamp Bagenal which is worth noticing in connexion with the Grattan presentation. He says:—"Subscriptions were talked of for erecting a statue to Grattan's honour, and on the motion of Mr. Bagenal, an inflexible patriot, but a singular man and a zealous supporter of the Catholic claims, £50,000 were voted to him by the House of Commons as a reward for his services."

The support which Bagenal gave to the Catholic claims may well be supposed to have arisen from his personal knowledge of his own father's experience of the Penal Laws. He always voted in favour of Catholic relief bills.

After Grattan's success Bagenal gave a great entertainment and review at Dunleckney. Jonah Barrington was present when he reviewed the Carlow and Kilkenny regiments in his park at Dunleckney. The great chestnut tree under which he reviewed the troops still exists. It was pointed out to the late Mr. Robert Watson, M.P.H., by his father, Mr. John Watson, who was one of Beauchamp's contemporaries. He drove between the lines in an open carriage with six horses, a bottle of claret in one hand and a glass in the other, drinking the officers' healths. The officers were called up singly to the side of the carriage, and were made to drain a tumbler of claret in turn to the Volunteers of Ireland. In the evening there was a ball and supper at the house. The rank and file for whom there was no room under the roof camped out in the summer night with unlimited wine and whiskey; and in the morning the park was like a field of battle, strewed over with prostrate bodies, unable to move. "The most curious exhibition," observes Sir Jonah, "which could be conceived by persons not accustomed to those days of dissipation."

Beauchamp Bagenal as we have seen played a man's part in the great struggle for the legislative independence of the Irish Parliament. But he then retired from Parliament and never seems to have re-entered public life. Perhaps he was disappointed, like Grattan, with the results of the great wave of enthusiasm which swept the whole country forward with such tremendous force. Certain reforms

were no doubt carried. But Grattan soon lost his influence and ascendancy. His power fell through the internal dissensions of party politics. He could not persuade the Protestants to emancipate the Roman Catholics: he could not prevent the rise of the United Irishmen: nor prevent the spread of Jacobinical principles: nor could he retain in the Irish aristocracy that love of country which had certainly animated them in 1782. His power and influence had departed and he was obliged to look on while Pitt carried the Union. Grattan was a great orator, but not a practical statesman, and the Parliament which has ever since borne his name only survived 18 years, while he himself suffered indignity and ingratitude at the hands of those whom he had served.

It may be noticed that in his speech proposing the Parliamentary grant to Grattan, Beauchamp Bagenal had said that he had no personal acquaintance with the Irish leader. It is certain that they afterwards became close friends, for in a draft will which is extant Bagenal named Henry Grattan as executor, together with the Marquis of Lothian. There is also in the possession of the writer of this family history a seal engraved with the portrait of Grattan, which it is possible to think was cut to commemorate the events of 1782.

Sir Jonah in his "Recollections" thus sums up Bagenal's character:—

"Domesticated in his own mansion at Dunleckney, surrounded by a numerous and devoted tenantry, and possessed of a great and productive territory, Mr. Bagenal determined to spend the residue of his days on his native soil according to the usages and customs of country gentlemen, and he was shortly afterwards returned a representative of Parliament for the County Carlow by universal acclamation.

"Though Mr. Bagenal did not take any active part in the general business of the Irish Parliament he at least gave it a good example of public spirit and high-minded independence. His natural talents were far above mediocrity; but his singularities, in themselves extravagant, were increased by the intemperance of those times; and an excellent capacity was neutralized by inordinate dissipation. Prodiggally hospitable, irregular, uncertain, vivacious; the chase, the turf, the sod and the bottle divided a great portion of his intellects between them, and generally left for the use of Parliament only so much as he could spare from his other occupations. However, in supporting the independence and prosperity of Ireland he always stood in the foremost ranks. On every important occasion he evinced a sincere and firm attachment to the rights and prosperity of his country. He had studied what was called the point of honour; and no man understood the rules and punctilio of private combat so well as Mr. Bagenal. And though his over-readiness at all times to put his science into practice frequently placed him in situations of difficulty, his spirit and singularities never failed to extricate him with success. Amongst the people he was beloved, amongst the gentry he was popular, amongst the aristocracy he was dreaded.

Liberal and friendly, but obstinate and refractory, above all his contemporaries, he had a perfect indifference for the opinions of the world, when they at all



THE BAGENAL ARMS.

differed from his own; and he never failed to perform whatever came uppermost in his thoughts, with the most perfect contempt as to the notions which might be formed of his rectitude or impropriety.

He was one of the first country gentlemen who raised a volunteer regiment in the County of Carlow. He commanded several military corps, and was one of the last volunteer colonels in Ireland who could be persuaded upon to discontinue the reviews of their regiments, or to relinquish that noble patriotic and unprecedented institution."

CHAPTER XXIII.

BEAUCHAMP BAGENAL'S FAMILY AND DESCENDENTS.

Beauchamp Bagenal married Maria, the widow of Mr. Stannard Ryan. By her first husband she had one son, who became a clergyman of the Church of England and was a constant companion of his step-father. The Ryans had been an Irish clan in County Carlow in Tudor days, but appear to have been transplanted to Tipperary in Cromwell's time, where they have ever since been known as the "Ryans of Inch." In 1660 Daniel Ryan was seated there, and his son, John, married a daughter of Mr. Mathew of Thurles, brother to Mr. J. Mathew of Thomastown, Kilkenny, and was consequently closely connected by marriage with Dame Bagenal of Dunleckney, wife of Dudley, who herself was a Mathew. Mr. John Ryan was guardian to Mrs. Bagenal's daughters, Ann, Lady Clifton and Margaret, Lady Hales, during their father's exile in France. This would account for the fact that portraits of these two ladies still hang in the house at Inch, where no doubt they were left for safety during the troublous times. From these ascertained facts it is permissible to hazard a conjecture that Beauchamp Bagenal met his wife through his old family connexion with the Ryans, but her maiden name is still not traceable.

Mr. Bagenal had only one son, Walter, who, like his father, married a widow, Mrs. Chambers.

Walter Bagenal does not appear to have taken any part in public affairs during his father's lifetime, but he was elected with Mr. David La Touche, junior, to represent Co. Carlow in the first Imperial Parliament after the Union in 1802, without a contest. Both were again elected in 1806 and 1807. In 1812 he stood again, the other candidates being his former colleague and Henry Bruen, Esq., the eldest son of the late Colonel Bruen, formerly a member for the County. In this contest Walter Bagenal was so badly supported that he had only polled 295 as against La Touche 680 and Bruen 597, and after 7 days polling he retired from the contest. Mr. Bruen, the new member, had only attained his majority in the preceding year. It is noteworthy that until he died, in 1852, he maintained or contested the representation of the County at every election.

Maria, the only daughter of Walter Bagenal by his marriage with Mrs. Chambers, married Colonel Sir Ulysses de Burgh, a distinguished soldier, afterwards Lord Downes, and A.D.C. to George IV. He stood for the County Carlow in 1818 and was returned, together with Mr. Henry Bruen. In the course of a bitterly fought election, in which the Catholic question was uppermost, the celebrated Roman Catholic Bishop of Leighlin, Dr. Doyle (J.K.L.), thus alluded

to Sir Ulysses:—"Another candidate is a gentleman just returned from the Continent—a military man, bred in a profession hostile by its nature to the principles of our constitution, but yet the descendant of a respectable and liberal family—connected also with a Bagenal, a name which should ever be dear to this county—professing also sentiments which entitle him to some confidence, but in the whole destitute of solid claims. Some of his family connections should excite our suspicions; Sneyd and Foster are his kinsfolk—the Duke of Wellington is his patron and friend. No Catholic should support him till Mr. Bruen's exclusion is ascertained and Mr. La Touche's return placed beyond the reach of doubt."*

Sir Ulysses de Burgh in 1826 succeeded his cousin, the Rt. Hon. William Downes, Lord Chief Justice of the King's Bench, who had been made a peer under the title of Lord Downes. By his wife Maria, Walter's only daughter, he had two daughters—Ann married 27th April, 1838, to the 4th Earl of Clonmel; and Charlotte married on the 13th February, 1851, to the Rt. Hon. Major James Colborne, who subsequently became the 2nd Lord Seaton. His eldest son is the present Lord Seaton. Lord Downes died in 1864 at the age of 76, when the title became extinct.

It is not surprising that less than 20 years after Beauchamp Bagenal inherited his estates he found himself deeply in debt. He had made the grand tour of Europe. He had fought elections, and he had spent money in all directions. In 1763 he advertised in the public papers certain lands to be sold, let at £1,357 yearly. This was found insufficient to satisfy his debts, and he therefore proposed to sell more land to the value of £40,000. Mr. Thomas Gurley, his agent, had carriage of the sale. The result of this announcement was that negotiations were entered into with Mr. Richard Chappel Whaley, a well-known gentleman in Dublin society. The negotiations fell through, although the terms were, apparently, nearly agreed upon — so nearly that Whaley brought an action against Bagenal for specific performance of the agreement. The litigation went to the House of Lords but, nothing having been reduced to writing, Whaley lost his case. In all probability during the negotiations a better offer was forthcoming, for the lands in question certainly passed out of the Bagenal estate about that period.

Mr. Whaley had a son whose name became familiar in Dublin as "Buck" Whaley, such being the soubriquet given to a class of young and dissipated men of the day in the Irish and English capitals.

"Buck" Whaley, on his father's death, succeeded to an Irish estate worth £7,000 a year, together with a sum of £60,000 in cash. Extravagant and impracticable in all matters of business, without any moral restraint, and a reckless gambler, he very soon ran through his money, and ended his life on the Isle of Man, aged 34, a ruined man. He was known also as "Jerusalem" Whaley. One night when dining with the Duke of Leinster he wagered that he would go to Jerusalem and return to Dublin within two years of his departure. With our

*FitzPatrick's *Life and Times of Dr. Doyle*. Vol. I., p. 87.

ideas of travel it seems an easy thing to have performed, but it was then considered a difficult feat of adventure. In a few days it was the talk of Dublin and £15,000 depended on the result. He set out on the 20th of September, 1788, reaching Jerusalem on 3rd February, 1789, arriving in Dublin again in July of the same year. His expenses *en route* amounted to £8,000. He remained in Dublin for two years and gambled away the balance of £7,000. His sister Ann was married to Lord Clare.

Beauchamp Bagenal had three daughters, Emilia, who married Mr. Edward Carroll of Ballynure, in the Co. Wicklow; Catherine, who married Mr. Bissett in England, "against her father's wish," or as his will described it, "without acquainting me"; and Sarah, who married Colonel Philip Newton, formerly in the Austrian Service, of Benekerry, Co. Carlow, whose family had come to Ireland with William III. from Lancashire. Sarah was Mr. Bagenal's favourite daughter and to her, by settlement on her marriage, he left a substantial portion of his property, including Dunleckney. He also did not forget Mrs. Bissett's children.

Colonel Newton was succeeded by his eldest son, Walter, who rebuilt the old house at Dunleckney, which had stood since it was built in 1612 by George Bagenal. At the express wish of his mother and grandfather, Philip the second son assumed by Royal licence the name and arms of Bagenal on inheriting a considerable part of her estate. Failing direct male heirs the Dunleckney property is now vested in other descendants of the female line, viz., The Earl of Clonmel and Lord Seaton, Mrs. Vesey, Captain Arthur Forbes Gordon, Mrs. Trant, Mrs. Bagwell or their issue. With the new land laws passed by the English or the Irish Parliament the Barony of Idrone will soon have disappeared as a unit, and become the property of the occupiers of the land.

Beauchamp Bagenal was very much attached to his daughter Sarah Newton, and to her daughter Catherine Newton, whose early death affected him deeply. The following pathetic inscription on her tomb in Dunleckney Churchyard bears evidence that it was written by his own hand with a full and grieving heart:—

Catherine Newton.

daughter of Philip and Sarah Newton

Died the 28th day of November

1800. Aged not 14.

Nevertheless it may not be an unprofitable lesson to say something of her disposition, which was a ready, cheerful, unremitted wish to be of use, and she industriously contrived to be so oftener than anybody could expect, particularly to her grandfather, who through great gratitude and justice here declares that he believes she was the best child he ever knew except her mother. They united

in making life even desirable to him
 though labouring under great infirmity.
 The loss of such a one will be felt as long
 as we have feeling, but the recollection
 of every action and expression of hers
 from the time she began to have sense to
 her last hour gives us confidence
 to trust that she is happy.

Beside the stone and touching it is the tablet bearing the memorial of
 Beauchamp Bagenal himself. It runs very suitably as follows:—

“ Here lieth the Remains of Beauchamp
 Bagenal Esquire who departed this
 life on the 1st day of May in the year
 of our Lord 1802, aged 67
 years. And ordered that he might
 be buried next his granddaughter
 Catherine Newton.”

And that was the end of one of the curious characters of the Eighteenth Century in Ireland. It may be well that in the evening of his life a little child had led them to display the best side of an originally fine nature, which from force of circumstances and environment had been wasted from higher purpose and performance.

There is extant in the British Museum a catalogue of Beauchamp Bagenal's collection of pictures, when he had a house in Soho Square, London. It is to be found in a volume of Mr. George Vertue's MSS., formerly in the possession of Horace Walpole. The catalogue is written on the same folio paper and in the same handwriting as those of Sir R. Walpole's and Lord Bateman's pictures—the latter also lived in Soho Square. It would seem as if the writer had visited all three collections the same day. The fact of the purchase by the Prince of Wales of some of the Bagenal pictures was evidently recorded afterwards—so there was probably a view first and a subsequent sale.

The Catalogue runs as follows:—

<i>Mr. Bagenal's. Soho Square.</i>	<i>Painter.</i>	<i>Bought by</i>
A large picture. S. Martin and other figures.	Rubens	Prince of Wales.
Ditto. Armeda. Several large figures... ..	Vandyke	Mr. Pelham.
A large picture of many Angels, 25 in several different attitudes, big as life.	Murillo	
Four Landskips, representing Morning, Noon, Night		Prince of Wales.
Old man's head finely painted		
Another by the same	Rubens	Prince of Wales.
Over the Chimney. Two persons disputing Killeysen and Carey half cen ..	Vandyke	Prince of Wales.
A lady whole canvas with a litte dog	Vandyke	Prince of Wales.
A man a philosopher with papers before him and sign of the Zodiack.	Spaniolet	Prince of Wales.
Watercolours: A merrymaking or a fair, many small figures		
The companion in Eden with all sorts of animals and birds	Brusell	
Two other small Landskips	ditto.	
Flagellation of our Saviour	Morigho	
Two beggar boys playing dice	(? Murillo)	
Wise men's offerings. Small figures.	Rubens	
Inside of a kitchen, boy kissing the cookmaid	Temers	
Moriglo's own picture		Prince of Wales.
Over the door. A fruit piece.		
Taking Christ in the Garden, many figures large as life. A high finish piece ...	Rubens	
S. John with the Staff and Labell	Morigho	
Another its companion asleep a death scull by him	Morigho	
<i>Below Stairs.</i>		
A Landskip many small figures, a boar-hunting a dog in corner.		
Its companion a stag hunting by Diana and her nymphs		
Cain and Abel slain—an angel speaking .	Spaniolet	
Several good drawings in frames		

THE APPENDIX

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A, B and C.

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Appendix A.—To Chapter VIII.

HISTORICAL MSS. COMMISSION.

REPORT ON CECIL MSS. Part VIII., page 409—412.

BATTLE OF THE YELLOW FORD.

Captain Richard Cuny to the Earl of Essex. 1598. October 28.

“I am enforced to be tedious to make an unfortunate action known to you. I would have written at the first, but I know evil news flieth too fast. Of late I hear that your Lordship has been informed that myself and some others should play the cowards which is a thing I never thought of, but rather expected, with the rest of the captains to have had thanks in saving so many from the sword. [There was brought off 2,300, whereof 6 or 700 threw away their arms cowardly before the retreat was made. *Margin.*] but I assure your Lordship, had they gone on, there had none escaped but by running (which is very hard in this country to do) by reason the vanguard marched away so fast and neither regarded the battle, where Sir Thomas Maria Wingfield with his regiment, was left pulling onto the artillery which was bogged and mightily beaten upon with loose shot, nor the rearguard, which was also forced with horse and foot and like to have been broken once or twice. Myself had the vanguard of the rear and should have joined with them, but that I was so vehemently charged with shot, as the captain of my regiment can well witness, that we had little to have been cut in pieces, but that I relieved them by charging with the horse and with my regiment coming up to them.

By this time the enemy had spent all their munition in the rear and likewise had we. I did imagine that they were gone to fetch more powder that they suffered us to march so quiet towards the battle, where I found Sir T. M. Wingfield making a stand for us. In what time he heard the Marshall was slain and his regiment and Sir Richard Pearcie's were defeated; for so Sir Thomas assured me. But it fell not out so, for the Marshall's regiment was not broken but Sir Richard Pearcie's only, but that was more than I knew.

Whereupon we presently considered to make our retreat to Armagh. [Armagh was little more than an English mile from the place. *Margin.*], where I gave order for Captain Billins with his regiment and 60 horse which had the rear with me to make good a ford where I did expect (when they had supplied themselves with munition) they would charge us with the like force they did before in our retreat. My reason was that our soldiery were so possessed with the fear that it is hard to believe unless your Lordship had seen it; besides our unfortunate chance of our powder taking fire in all places that we had none to supply our men withal, which was a great disadvantage and made us the rather retreat. For if they had charged us like men of war I think none of us should have lived to be called in question.

Sir Thomas M. Wingfield at that bog made a stand to relieve Captain Cosbie with those that were left of the two regiments which we heard were broken, for Sir Thomas had charged Captain Cosbie upon his allegiance to make good the retreat in the rear of him; for that was his place by order of march and had been an indignity to have taken it from him. [Sir T. Wingfield undertook with Cosbie's regiment and the VII. score horse under Captain Montague that were appointed for the vanguard; myself took charge of the place that was appointed me by the Marshal that was the rearward. *Margin.*] But he went backward contrary to his direction, his regiment broke and himself taken prisoner. What his reason was I cannot certify your Lordship till I speak with him; but had the vanguard and his second kept together, they should not have been broken but by some great disorder.

I cannot accuse any Captain, but the common soldiers so possessed with fear, that when their leaders would have made them stand, they ran over them and trod them in the bog where some Captains were found and the enemy doth report the same.

And now returning to our retreat, I marching very easily after Billins [My reason why I came in rear of him a good distance and knowing the ground before, if they should have charged him at the ford, I could have got between them and their fastness and so have come to the push of pike, but in the meantime Sir Thomas called me with my regiment back again. *Margin.*], expecting a new charge in our retreat, Sir T. M. Wingfield came after me and bade me return back again with him to the bog for that Cosbie with his regiment came not to him as he gave direction, and told me that he sent Captain Montague with the horse to bring him off, and so with my regiment I returned back with him. In which time Cosbie's regiment was broken and Montague seeing those that escaped running, some with their ensign and some to save themselves, brought them off. There was by computation saved of those 3 regiments 6 or 700 for some were come off before, which every man knows (that know this country service) they might better have saved themselves by orderly coming off than by running and have lost not a man other than by chance of bullet, as other regiments lost.

And these broken companies coming in upon our retreat to Armagh we saw Captain Billinges his regiment far beyond the place he was appointed. And being demanded why he went further than his directions, he saith that a corporal of the field brought him word. But the corporal knows not from whom he had that direction.

We had in our army 1500 of new supplies, who were never trained, their pieces most unserviceable. [700 of these supplies were sent to me. I said unto the Lords Justices that they were unserviceable and that I had no powder to train them and craved allowance to mend their arms, for they were put under no Captains. But I had no answer from their Lordships and upon the march they were assigned to Captains. *Margin.*]

The Marshal himself always believing that the rebels would never fight with him and the disorderly march of the vanguard were our overthrow. Some impute it to our over many regiments, but in my poor judgement, if you had seen it you had not disallowed of it. For we were always to make but 3 bodies. The Marshal had Sir Richard Pearce for his second, who was to join together upon any occasion, and so that daily order of march. Sir Richard Pearce had the vanguard of the Marshal's regiment and was broken before the Marshal's regiment did second him. [Had the vanguard followed the direction which he gave himself and have made good the first entertained skirmish, all the battle and the rear had come up to them and used our field pieces which stood us in no stead because they were not used, as he himself assured us he could, we had done that we came for. *Margin.*]

For the rest that happened, concerning the going up the Blackwater and our coming from thence, your Lordship hath heard. I remember in my time Sir John Norrey's forces in Brittany were defeated twice and none escaped at either time but either taken prisoner or by flight. And yet I never heard they were called in question or reputed cowards. There was never an army defeated but there was some error committed. After men had slept every man could have told (how) to have prevented it, but at the present with us I heard no Captain find benefit with it. I have followed your Lordship for 14 years and never been known for a coward. One fault I have had of late, to be discontented with small occasions, but he is an unfortunate man that must answer for an overthrow.

I hear that Sir Samuel Bagenal should say unto her Majesty that we was all cowards that were left alive. I think it were to put the blame from his kinsman. I am not used to write, but the very grief of my soul constraineth me. Dublin, the 28th October 1598."

Sir Walter Scott in *Rokeby* has the following allusion to the battle in which Sir Henry fell:— (Canto IV.)

VI. Who has not heard—while Erin yet
 Strove 'gainst the Saxon's iron bit—
 Who has not heard how brave O'Neale
 In English blood enbrued his steel,
 Against St. George's cross blazed high
 The banners of his Tanistry,
 To fiery Essex gave the foil,
 And reigned a prince in Ulster's soil?
 But chief arose his victor pride,
 When that brave Marshal fought and died,
 And Avon-Duff to ocean bore
 His billows, red with Saxon gore.
 'Twas first in that disastrous fight,
 Rokeby and Mortham proved their might.

Appendix B.—To Chapter XV.

FULL REPORT

from the Depositions in Trinity College, Dublin, of
COLONEL WALTER BAGENAL'S TRIAL AT KILKENNY.

The examination of Coll. Walter Bagenal of Donleckny in the County of Catherlogh, Esq., aged 36 years or thereabouts taken the 19th day of August, 1652.

Being examined he saith that he lived at Donleckny in the County of Catherlogh at the time when the Rebellion broke forth and 5 or 6 years before, and that before and at the time of the breaking forth of the Rebellion he was in Commission for the Conservation of the Peace: and saith that about Michaelmas 1641 he broke up house-keeping for 2 months or thereabouts more or less and since that time hath had no certain place or abode but his most certain and continued Residence was at Donleckny.

He further saith that about January 1641 that the gentry of the County of Catherlogh assembling together did choose and appoint Sir Morgan Kavanagh and him this Examinant to be Governors for the County of Catherlogh, but whether they had any Commission in writing from the said Gentry he remembereth not; and that the Lord of Mountgarrett was chosen by the said assembly to command in chief; but he knoweth not of any Commission the said Lord of Mountgarrett had in writing from them; neither had he any from the said Lord Mountgarrett that he remembereth; he further saith that about two months before that time he entered and took possession of the Fort of Loughlyn by direction from the Lord of Ormond who sent to his servant living and residing there to deliver up the possession thereof unto this Examinant; and soon after he this examinant appointed one Butler of the County of Tipperary, Esquire, to come to the said fort in his absence, where he continued two months or thereabouts, and after that this Examinant appointed his Brother Henry Bagenal, and Charles Dempsie who he appointed Lieutenant to his said Brother Henry Bagenal: to command the said fort where they continued till about the latter end of March.

Being demanded what was the first service he did after he was made Governour, he saith he went to the Siege of Catherlogh, who when there joined Sir Morgan Kavanagh and the gentlemen of the County, and saith that having no pay appointed for the payment of their soldiers the English having deserted their houses and holdings which being taken by the common people were rescued from them and assigned for the maintenance of the soldiery. Being demanded who furnished him and his soldiers with arms and ammunition, he saith the Country furnished them with arms and he sent his servant to Galway where he paid £30 Sterling for twenty pounds of powder; being demanded what issue they had at the siege of Catherlogh he saith, that through the failure of Thomas Davells of the Queen's County Esquire, and Robert Harpool, who promised to assist him and block it up that side of the Barrow, they failed of taking the said Castle, and leaving Captain James Byrne to maintain the siege on the town side, Sir Morgan Kavanagh and this examinant drew off their

men, and this examinant marched home with his party, and within a short time after this Examinant drew his men against Cloghgrenan and summoned the same, which was enclosed, being maintained by the servants of Sir Arthur Loftus, and saith that after the refusal of the summons they made some shoot with a gun that they had planted there, but not prevailing they drew off, and after that Sir Morgan Kavanagh and this examinant appointed an assembly of the gentry of the county at Loughlyn where they deferred a former design to Rathhelyn upon interruption of a letter going from the Lady Butler to her sister at Burrowes-in-Ossory besieged whereby they understood her clearly to be their enemy; whereupon they sent a summons twice by Mr. James Allen of Lincardstowne and Mr. Bryan Byrne to Sir Thomas Butler and his said Lady Butler intimating that they understood by the letters as aforesaid, and that they were fortifying themselves against them; yet if they would slight their fortifications, yield up their arms and give assurance they would act nothing prejudicial against them, they should enjoy the like freedom with them which was twice refused; and whereupon they drew up their foot, fired the gate, and were ready to fire the house, when the said Lady came and craved quarter, which was granted, and they entered into the said house and gave of the pillage thereof to the soldiers and the remainder left under the guard of soldiers appointed by this Examinant and Sir Morgan. But being demanded what became of the said Lady's cattle, he saith his men recovered seven oxen from Sir Morgan Kavanagh's men, which he had and gave afterwards to Charles Dempsie, and that he brought away the Coach which he put into the bawn of Loughlyn where it stood till it rotted; being demanded what became of Sir Thomas Butler and his lady he saith that they were brought from Rathhelyn to Loughlyn where they continued a fortnight or three weeks, and he himself continued there about a week or more, till the Lord of Ormonde advanced towards Athy, as he remembereth; and further saith that he afterwards gave orders for convoying the said Sir Thomas Butler and his Lady to Kilkenny.

And being asked whether he speaking with the Lord Mountgarrett, and pressing him to put Sir Thomas Butler and his Lady to death, did not say that "there was but one way: protestants or papists one of us must perish," which he denyeth alledging that his actions justified as much.

Being demanded what English people were in Rathhelyn at the time of surprisal thereof he saith a minister whose name he knoweth not, neither doth remember any other English person that was there.

Being demanded whether he knew Richard Lake at Loughlyn he saith, he remembereth that he hath seen such a man; being further asked whether he knew or heard of the said Lake with other English protestants which were to be convoyed from Loughlyn to Duncannon he saith that he believeth that he heard of some sent away by a convoy but by what orders he knoweth not, he is certain by no order from him for that he was not in the country; being further asked what became of the said persons, he replveth that he lately heard that some of them were put to death and said that for Lake's death he heard nothing of it but within this year to his remembrance.

Being further demanded what he knoweth concerning a woman and a child that was cast out of a cott and drowned at Loughlyn, he saith he heard of such a thing and made enquiries about it but could not find out the party that done it; being further asked if that the said party were not after taken, and imprisoned for the same, and released without punishment, he saith he knoweth no such thing, neither that he was afterward admitted as a soldier under his command, to his remembrance.

Being demanded if Wiliam Lilly were not formerly a servant of his, he saith he was and parted from his service unknown to him before the battle of Ross, but afterwards he was taken at the battle of Ross and brought from thence to Tinnehinch

and there hanged as he heard, but that he this Examinant himself was not there present.

Being asked what became of the English protestants that were taken at Gowran and Welis he saith he knoweth not.

Being asked if he knew what became of John Stone and the rest of the English living in Graige he saith that after the battle of Kilrush his wife and Colonel Edmond Butler being in Kilkenny, they came from the said battle to Kilkenny and took their wives and went to Tinnahinch which was about the beginning of May 1642 about which time one Dorothe Reinolds married to one Kinsallagh dwelling at Killabirne within a mile of Graige came unto this Examinant and there acquainted him that there were some English that lived in her house and that they were threatened to be murdered, and desired his protection for them, which he gave to her either at Tinnahinch or her own house he knows not well whither, and that he thinks John Stone and the rest of Graige were included in the said protection; being demanded what became of them afterwards he saith he heard that they were taken away by some of James Butler his servants whereof Gibbon Fforestall, Garrett Fforestall, and Dermott O'Dogheden were some of them that took them away, as he heard, but whether they had any hand in the murder of them he knoweth not; being demanded by what order the said persons were taken and driven away he saith he knoweth not; being asked where the said servants lived after the said fact he saith he knoweth not if not with the said James Butler; being demanded whether the said James Butler was then at home or not he saith he knoweth not.

Being demanded if he knew William Stone he saith he heard of the said William and that he was a carpenter and that soon after this Examinant coming to join him from Kilkenny after the battle of Kilrush as aforesaid he had received information upon oath that the said William Stone should say he hoped that the English would ere long come that way which if they did he would be a guide to them to endeavour the ruin of the Irish party, and that he well knew the country and that he did frequent (portion of border lost here) And being asked what became of the said William after such examinacions he saith that he heard that he was put to death and that justly, but whether it was by order from Colonel Edward Butler who was present at the taken the said examinacion or by his the Examinant's order, or by any other order he doth not now remember, and further saith that Garrett Fforestall and Dermott O'Dogheden and (as he would believe) Luke Kinsalagh did depose and prove the information aforesaid against William Stone; being demanded whether they were summoned by warrant to give in evidence against him, he saith, No but they came in voluntarily. Being demanded what his, this Examinant's power was in that County for giving any orders (if any he gave) he saith that he was Governor with Sir Morgan Kavanagh of the County of Catherlogh as aforesaid.

Being demanded (if he were Governor of the County of Catherlogh as aforesaid) where the said Garrett Fforestall and Dermott O'Dogheden and the rest of James Butler's followers committed the murder why he did not apprehend and question and punish them for the said fact, he saith that he did not hear that these particularly were the men that committed that fact until within this two months; being further questioned, why he did not enquire (being Governor of Catherlogh within which province they were murdered) according to his duty against them, he said that Graige the place where they were taken being within another jurisdiction he conceiveth that it did not belong to him but properly unto others, and that was the utmost limit of his government his employment requiring his attendance elsewhere.

Being examined where he was, when John Stone and the rest were taken away he saith he doth not know, but that he was at Tinnahinche about the beginning of May as he hath formerly answered and heard not particularly what hour they were so taken away.

Being demanded whether the said John Stone and the rest were taken away by his, this Examinants, orders or no, he saith they were not.

Being asked if he did know Mr. Shaw the minister of old Laughlyn, he answered he did, and being further asked whether he knew John Milhaly and Owen Birne sometimes Coroner of the County of Catherlogh he said he did and that they live in the said County of Catherlogh but knoweth not whether the said Mr. Shaw was plundered at the beginning of the Rebellion by the said John Milhaly and Owen Birne or by whom other in particular and further saith not.

(Signed) Walter Bagenall.

Taken before us the day and year afore written

(Signed) D. Axtell, : Hen. Jones, :

Jo. Ffaren, : & Dan. Edmun.

The Examination of Colonel Walter Bagenall taken the 9th day of October, 1652.

The said Examinant being demanded whether he did know one Isaacke Weelye acknowledged he did, and that the said Isaacke lived upon the said Examinants lands of Ouldtowne in the County of Catherlogh at the beginning of the wars and then removed from thence and lived at Cloghgrennan as the Examinant saith he heard, and the reason of his removal from Ouldtowne was as he believeth for that he was plundered of his goods and fled for fear of the general insurrection of the County. The said Examinant being examined whether he did know one Nicholas said he neither did know or hear of any such

Being examined whether Isaacke Weelye ever sent to or wrote to him the Examinant or whether any spoke to him from the said Isaacke concerning any person belonging to him (being in prison with the Examinant) or whether Isaac Develly's wife sent to this Examinant about any such person Examinant utterly denyeth it to his remembrance.

Being examined whether that he knew of any person of Cloghgrennan that was taken prisoner by him or any other that was executed, saith, that he doth not remember that any was. Being demanded whether there was any difference between him the examinante and the said Isaacke Weelye, saith that there was never any but for some rent due to him the Examinant before the wars for which he did distrain but neither at the breaking out of the rebellion or at any time since was anything due to him the Examinant from the said Isaacke or any difference between him the said Isaacke and this Examinant to his knowledge and remembrance. But now perhaps recollecting himself saith that he had let the land of Ouldtowne afore-said to one Berry and that there was some dealings by the said Isaacke with the said Berry concerning the said lands which interest of the said Berry the Examinant required thereupon differences happened between the said Examinant and the said Isaacke (this Examinant intending by a legal way to avoid the said Isaacke Weelye's interest in the said lands of Ouldtowne which he had from the said Berry as afore-said). And being demanded whether he had any of the said Isaacke Weelye's goods or how any of them were disposed at any time since the rebellion said that (he) neither had any of the said Isaacke's goods or knoweth how any of them were disposed only some Cows which this Examinant himself seized on having recorded it against one Brian Birne who had entered upon the said lands.

Being examined further saith that after the Battle of Rosse about June next following there were about eighteen of the Garrisons of Cloghrenare and Catherlogh taken prisoners and some killed and that this Examinant himself was there in

that fight and being demanded what became of the said prisoners saith that they were ransomed or exchanged and further saith not.

(Signed) Walter Bagenall.

This examination was taken before us

(Signed.) J. Hewson.

Hen. Jones.

Tho. Herbert.

The Examination of Henry O'Donoghoe of Carlow Husbandman aged 60 years or thereabouts taken upon oath the 9th October 1652.

The said Examinant being duly examined whether he did not on Tuesday night the fifth of October instant at his house at Carloe tell Captain Toogood and Lieutenant Toogood that Bagnoll in the beginning of the rebellion hanged an Englishman for the saving whose life he the Examinant offered two cows, he denieth the same, but saith what words he spoke he spoke of one Butler who hanged and not of Bagnoll and further saith not.

HENRY X DONOGHOE

his mark.

Taken before us the day and year above mentioned.

(Signed) John Cooke, Hen. Jones, Tho. Herbert.

The Examination of Dame Anne Butler, wife unto Sir Thomas Butler, of Rathellin, in the county of Catherlogh, knight, duly sworn, deposeth—

"That after Walter Bagenal, of Dunleckney, in the county of Catherlogh, Esq., and Walter Butler, with a great number of men, had in a violent manner entered this deponent's house, they not able to resist, they set strict guard over this deponent, her husband and family, and brought them from their settled dwelling unto Loughlin Bridge, where they kept herself, her husband, and children, in restraint, for two weeks; and from thence conveyed them, with a strict guard, to Kilkenny, and there they were brought before the lord Mountgarrot; where Walter Bagenal and James Butler, brother to the lord Mountgarrot, did use all means possible to move the said lord to put this deponent, her husband, and family, to death and torture; alleging that they were rank puritan Protestants, and desperately provoking, and these words, "there's but one way, we or they," meaning Papists or Protestants must perish. To which malicious provocation the said lord did not hearken. And this deponent further deposeth, that Walter Bagenal, with his rebellious company, apprehended Richard Lake, an English Protestant, and his servant, with his wife and four children, and one Richard Taylor, of Loughlin Bridge, his wife and children; Samuel Hatter of the same, his wife and children; an English woman called Jone, and her daughter, and was credibly informed by Dorothy Renals, who had been several times an eye-witness of these lamentable spectacles, that she had seen to the number of five and thirty English going to execution; and that she had seen them when they were executed, their bodies exposed to devouring ravens, and not afforded so much as burial. . . . And further deposeth, that she being in Kilkenny, a prisoner in restraint, and having intelligence that some of her own cattle were brought thither by Walter Bagenal, she petitioned (being in great extremity) to the lord of Mountgarrot, to procure her some of her own cattle for her relief; whereupon he recommended her suit to the mayor and corporation of Kilkenny; who concluded, because she and her family were Protestants, and would not turn to mass, they should have no relief. Jane Jones, servant to the deponent, did see the English formerly specified going to their execution; and as she conceived were about the

number of thirty-five; and was told by Elizabeth Homes, that there were forty gone to execution.

" (Signed) Anne Butler.

" Sworn, 7th September, 1642.

" (Signed) John Watson."

Vol. II. Deposition 159.

Sir Edward Butler, Knight, aged 66 or thereabouts, being duly sworn and examined saith that about 1st May 1642 there came a company of James Butler of . . . (illegible) . . . and his servants with others into the town of Graige in the County of Kilkenny to search, as this examinant was informed for his tenants, then inhabiting the town, being English men and women, and there they seized upon the bodies of John Stone, his wife and son, Walter Shirley and others whose names he remembereth not, who they carried out of the town and hanged some of them in the lands of . . . (illegible) . . . near Graige: the rest were carried further by Gibbon Forestal, Garrett Forestal, Donogh O' . . . (illegible) . . . now in Connaught whither he went with his master James Butler and others whose names he remembereth not. And this examinant is confident that James Butler was then at home in his house but he doth not certainly know whether Colonel Bagenal's wife was there or not, but saith that she doth frequent the place and continue there sometimes 2 months or thereabouts. He further saith that soon afterwards he heard Morris Kelly, with others brought divers English prisoners from Gowran to Graige, amongst whom was Henry White tenant to this examinant, at which time there was there Edmund Butler, Sir Walter Butler, Captain Shortall, and Captain John Butler, this examinant's son, and this examinant hearing that these prisoners were so carried away, he sent his servant Andrew Barlow to use his utmost endeavour to save Henry White by reason he was his examinant's tenant, who so prevailed with Colonel Edmund Butler, then commanding in chief, that he got off the said White, and the rest as he heard were conveyed to Ross and near to that place put to death as he was informed, and that the said Kelly did convey them to Graige and thence to the gates of Ross, and that he, this examinant, sent his said servant and another to mediate to save their lives. Being demanded what he knoweth of the death of Richard Lake he saith he heard he was hanged and further saith not.

Edward Butler, Knight.

Taken 18 Aug. 1652 before us Hen. Jones

Hen. Stamer.

This evidence proves that James Butler, with a company of his servants and others, carried away his own Protestant tenants out of Graigne. Some were hanged there, others were taken further away. There is a special statement made by the witness that he did not certainly know whether Colonel Bagenal's wife was there or not, but that she frequented the place sometimes two months or thereabouts.

The number of Butlers engaged in this raid is remarkable. From the evidence it appears there were Sir Edward Butler, the witness, Colonel Edmund Butler, "Commander in chief," Sir Walter Butler, Captain John Butler, and Mr. James Butler, all of Lord Mountgarret's family.

Evidence of Sarah Francis.

Sarah Francis alias Boulger aged 36 duly sworn and examined saith she lived at the Graigne at the beginning of the Rebellion and continued there 5 or 6 years after. That she is the daughter of Barnaby Boulger of the Graigne and was formerly married to Walter Shirley of the Graigne who by his trade was a carver and joiner. That he her said husband Walter Shirley did work with James Butler of Tennahinch

near the Graigne and made up a gate for his house at Tennahinch. That there then lived at the Graigne of English, John Stone, Robert Pyne, William Stone, one John servant to the said John Stone, Zachary Pyne, a child of about a year and a half old, Joseph Valentine married to examinant's sister Katharine, and Walter Shirley her husband as before mentioned, Margaret Stone, wife of John Stone, Margaret their daughter, then wife to Thomas White of Gowran, Barbara Pyne, wife of the said Robert Pyne, and others whom she examinant remembereth not. That Walter Bagenal Esq, now called Colonel Bagenal, was at Tennahinch about the beginning of May 1642 where was also his wife, and Colonel Edmund Butler was there also. And this examinant's husband did make some pistol and carbine stocks for Colonel Bagenal and others, he being promised thereupon a protection to live quietly in the country. And the said Shirley this examinant's husband, having finished his work, and brought it home, obtained from the said Bagenal 15s. for it and a protection under the said Bagenal's hand for his quiet living in the place. But before her said husband could recross the bridge of Graigne on his way to his house, he was followed by one from Tennahinch to deliver back the pass he had received, which he refusing to do he was brought back to Tennahinch house where it was taken from him, but by whom this examinant remembereth not.

The same day James Butler of Tennahinch and the said Colonel Edmund Butler went from that place on horseback; this deponent did see them going, but did not know that Colonel Bagenal was with them. The same night about midnight Dermot O'Donoghue and Connor Mor, servants of James Butler aforesaid knocked at the examinant's door and she opening the door they entered and took away her husband and the examinant going forth found all the rest of the English taken out of their houses and carried over the bridge of the Graigne by James Butler's followers. That this examinant fearing some mischief to her husband went to Ballyogan to her landlord Sir Edward Butler living about a mile from the Graigne, to desire his assistance for preserving her husband. That returning with a paper signed by the said Sir Edward Butler, those persons in whose hands her husband was, seeing her coming with the paper, hanged her husband forthwith and cut him down when he was so hanged before she, the making all haste could come to him. That a little way from thence they did also hang Joseph Valentine aforesaid, the examinant's brother-in-law, his wife being then present, who came along with this examinant from Ballyogan aforesaid and overtook her husband before he was hanged. Being demanded who of the Irish were present at these executions and driving away of the English, she said that she saw Garret Codd, Gibbon Forestall, and about ten more that she knoweth not the names of. She further saith that John the aforesaid servant of John Stone was also hanged on the same tree that her husband was hanged on, and at the same time, and that John Stone and the rest of the English were carried towards Ross and by the way murdered. She further saith that the same day towards evening, William Stone, son of John Stone, working at the river on a ship for Sir C. Coote was brought to the Graigne and hanged on the same tree that her husband was hanged on. And that one Bennett of Ross came riding thither post to save Walter Stone if he could, but could not prevail by reason of Mrs. Ellen Butler, who then lived in the house of James Butler of Tennahinch aforesaid and opposed his saving the said Stone. That this examinant did that day see the said Bennett on horseback bareheaded, and that she was told by others that he had neither cloak band or hat on, through riding in haste to save the said William Stone. She further saith that she hath heard that Gerald Codd, Gibbon Forestal, and a servant of Henry Bagenal's were present at the execution of the said Stone.

Deposed before us Oct. 16, 1652.

Sarah Francis X.

Thomas Herbert.

Hen. Jones.

Thos. Wilson.

This evidence proves that the murders at Graigne were committed by James Butler and his servants. There is no clear evidence that Colonel Bagenal had anything to say to them. On the contrary it is stated that he had given Shirley a written protection for his quiet living in the place.

There can be no palliation of these cold-blooded murders of innocent Protestants, living, a few of them together, in the midst of a hostile Roman Catholic population. The question here is whether Colonel W. Bagenal participated in and was responsible for them. The matter is by no means free from doubt as to his moral responsibility. If present, which is doubtful, was he overborne by the Butler party? If so, he was undoubtedly accessory before the fact.

Appendix C.

ARMORIAL BEARINGS OF THE BAGENAL FAMILY.*

In mediæval times the right to bear heraldic arms carried with it great social significance. It meant a distinct rise in the social scale of life and once given was hereditary. The word "gentleman" to-day means legally a person entitled to carry armorial bearings.

The first armorial bearings apparently in the Bagenal family were those of Sir Ralph Bagenal consequent on his Knighthood after the battle of Musselburgh 1547. The arms conferred on him then are given as follows:—

ARMS. Per saltire or and ermine

A lion rampant azure.

"Claudius c e gives Sir Ralph Bagenal's Arms as sable within an orle martlets argent, an inescutcheon Ermine charged with a leopard's face gules. Crest on a wreath and sable a dragon's head erased gules charged with 2 bars or" *Cotton MSS.*

AUTHORITIES. *Hart MSS.* 2043, 4269 *C D.S.P.* No. 2, etc.

Various crests in the various Branches of the Family as the name is variously given.

CREST. There are several variants of the Bagenal Crest as there were of the spelling of the name. Fairbairn in his *Book of Crests* gives the following, illustrated in excellent plates.

1. BAGENHALL. A Dragon's head erased gules gorged with a bar gemelle or.
2. BAGENHOLT. A horse courant, bridled, proper.
3. BEAUCHAMP FREDERICK BAGENAL. Co. Carlow. Heraldic antelope sejant vert, attired (i.e., antlered) ungu, ducally gorged and chained.
4. BAGNALL (Kent). A dragon's head erased gules gorged with 2 bars or
5. BAGNALL, JOHN, Esquire, Water Orton, near Birmingham; and Benjamin Bagnall, Esqre., Ellerslie and Eaton Gardens, Hove, Sussex.
A Lion rampant holding between the paws an hour glass. Motto: *Fugit hora.*
6. BAGNAL. Staffs. and Wales. An Antelope sejant argent billettee sable, ducally gorged, ti..... armed and tufted or
7. BAGNALL, of Wicklow and Worcester. A heraldic antelope sejant argent, billettee sable, horns and tail or collared and chained of the same the chain reflexed over the back.
8. BAGNALL (Ireland). A heraldic antelope sejant vert ducally gorged and chained or
9. BAGNALL — Wild Ralph B Esq. M.A. J.P. Costock, Notts.
(1) A demi stag sable guttle d'or attired and resting the sinister foot on escallop (for Wild).
(2) Upon the trunk of a tree fess-ways eradicated and sprouting ppr an heraldic antelope sejant arg. bezantee gorged with a collar gemel and attired or (pr Bagnall).

*Fairbairn's *Book of Crests*.

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